

JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
OF THE  
COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE CITY OF FRANKFORT, ON MONDAY, THE THIRD DAY OF  
NOVEMBER, IN THE YEAR OF OUR LORD, 1851, AND OF THE  
COMMONWEALTH, THE SIXTIETH.

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FRANKFORT, KY.  
A. G. HODGES & CO.... STATE PRINTERS.  
1851.

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HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY

PRINTED BY THE OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES  
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FRANKLIN, KY.  
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JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES.

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At a General Assembly, begun and held for the Commonwealth of Kentucky, at the Capitol, in the city of Frankfort, on Monday, the 3d day of November, in the year of our Lord, one thousand eight hundred and fifty-one, and sixtieth year of the Commonwealth—on which day (being that designated by the Constitution,) the following members of the House of Representatives appeared, viz:

- From the county of *Adair*—Solomon Baker.
- From the county of *Anderson*—Alvin Herndon.
- From the county of *Allen*—Joseph H. Barlow.
- From the county of *Barren*—Joseph H. Lewis and James P. Bates.
- From the county of *Bath*—William Bailey.
- From the county of *Boone*—Charles G. C. Canby.
- From the county of *Bourbon*—Francis Troutman.
- From the county of *Boyle*—William C. Anderson.
- From the county of *Breckinridge*—Joshua H. Thomas.
- From the county of *Bullitt*—Charles Lee.
- From the counties of *Buller* and *Edmonson*—David Elms.
- From the county of *Caldwell*—Elijah S. Mitchusson.
- From the county of *Callovay*—Francis U. Dodds.
- From the county of *Campbell*—Charles J. Helms.
- From the county of *Carter*—John J. Park.
- From the counties of *Casey* and *Russell*—Napoleon B. Stone.

- From the county of *Christian*—John J. Thomas.  
From the county of *Clarke*—John S. Williams.  
From the counties of *Cumberland* and *Clinton*—Francis H. Winfrey.  
From the counties of *Clay* and *Owsley*—Daniel B. Stivers.  
From the county of *Crittenden*—Francis Ford.  
From the county of *Daviess*—A. D. Cosby.  
From the county of *Estill*—William G. Jackson.  
From the county of *Fayette*—George Robertson and John G. James.  
From the county of *Fleming*—Robert G. Lewis and Elisha S. Fitch.  
From the county of *Franklin*—Andrew Monroe.  
From the county of *Gallatin*—John J. Landrum.  
From the county of *Garrard*—George R. McKee.  
From the county of *Grant*—Opie J. Lindsay.  
From the county of *Graves*—Alexander H. Willingham.  
From the county of *Grayson*—James Edelin.  
From the county of *Green*—Alfred M. Jones.  
From the county of *Greenup*—William C. Grier.  
From the county of *Hancock*—Green Sterett.  
From the county of *Hardin*—Charles G. Wintersmith and William T. Samuels.  
From the county of *Harrison*—John S. Boyd and Alvin M. Hume.  
From the county of *Hart*—Claiborne J. Walton.  
From the county of *Henderson*—Grant Green.  
From the county of *Henry*—Norvin Green.  
From the counties of *Hickman* and *Fulton*—Price Edrington.  
From the county of *Hopkins*—John B. Laffoon.  
From the county of *Jefferson*—Benjamin H. Kerriek and John F. Gaar.  
From the county of *Jessamine*—James C. Wilmore.  
From the counties of *Johnson* and *Floyd*—Garland Hurt.  
From the county of *Kenton*—Robert M. Carlisle and Samuel M. Moore.  
From the counties of *Knox* and *Harlan*—Drury Tye.  
From the county of *Larue*—Joseph A. Nevitt.  
From the counties of *Laurel* and *Rockcastle*—John J. Haley.  
From the county of *Lawrence*—William F. Moore.  
From the county of *Lewis*—Cleaton Bane.  
From the county of *Lincoln*—Christian Engleman.  
From the counties of *Livingston* and *Marshall*—Robert O. Morgan.  
From the county of *Logan*—Jacob S. Golladay.  
From the city of *Louisville*—Joshua F. Bullitt, Edwin S. Craig, Birch Musselman, and A. H. Bryan.

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From the county of *Madison*—Curtis F. Burnam and Burnett C. Moran.

From the county of *Marion*—Thomas J. Nash.

From the county of *Mason*—Henry S. Johnson and John A. Keith.

From the counties of *McCracken* and *Ballard*—Lawrence S. Trimble.

From the county of *Meade*—David Griggs.

From the county of *Mercer*—Willis S. Chaplin.

From the county of *Monroe*—Micajah Oglesby.

From the county of *Montgomery*—Strother D. Mitchell.

From the counties of *Morgan* and *Breathitt*—Thomas Hagins.

From the county of *Muhlenburg*—William C. McNary.

From the county of *Nelson*—Ellis Duncan.

From the county of *Nicholas*—John B. Holladay.

From the county of *Oldham*—Thornton Triplett.

From the county of *Ohio*—Henry D. McHenry.

From the county of *Owen*—John Calvert.

From the county of *Pendleton*—Benjamin F. Hume.

From the county of *Scott*—William McMillan.

From the county of *Shelby*—James L. Caldwell and James C. Sprigg.

From the county of *Spencer*—Jonathan Davis.

From the counties of *Trimble* and *Carroll*—Hezekiah Cox.

From the county of *Taylor*—William C. Webster.

From the county of *Todd*—Elijah G. Sebree.

From the county of *Union*—Thomas R. Givens.

From the county of *Warren*—Charles M. Briggs.

From the county of *Washington*—Granville C. Alfred.

From the county of *Wayne*—Isaac N. Shepperd.

From the county of *Whitley*—Thomas R. Harman.

From the county of *Woodford*—Thomas F. Marshall.

Who, constituting a quorum, and having severally taken the oaths prescribed by the Constitution of this State, repaired to their seats.

Mr. Anderson nominated Mr. George R. McKee as a suitable person to fill the office of Speaker; Mr. Oglesby nominated Mr. Jas. P. Bates; Mr. Golladay nominated Mr. Charles G. Wintersmith, and Mr. McHenry nominated Mr. Joshua F. Bullitt; and the vote being taken, it stood thus:

Those who voted for Mr. McKee, were

William C. Anderson,	Benjamin F. Hume,	James C. Sprigg,
Curtis F. Burnum,	William G. Jackson,	Daniel B. Stivers,
Willis S. Chaplin,	Barnett C. Moran,	Napoleon B. Stone,
Christian Engleman,	William F. Moore,	Drury Tye,
John J. Haley,	John J. Park,	John S. Williams,
Thomas R. Harman,	George Robertson,	James C. Wilmore,
Thomas Hagins,	Isaac N. Shepperd,	Francis H. Winfrey—21.

## Those who voted for Mr. Bates, were

William Bailey,	John F. Gaar,	Robert O. Morgan,
Cleaton Bane,	William C. Grier,	Samuel M. Moore,
Joseph H. Barlow,	Grant Green,	Thomas J. Nash,
John S. Boyd,	Norvin Green,	Joseph A. Nevitt,
A. H. Bryan,	Charles J. Helm,	Micajah Oglesby,
John Calvert,	Alvin Herndon,	Green Sterett,
Charles G. C. Canby,	Alvin M. Hume,	John J. Thomas,
Robert M. Carlisle,	Garland Hurt,	Lawrence S. Trimble,
Hezekiah Cox,	John B. Laffoon,	Thornton Triplett,
Jonathan Davis,	Charles Lee,	Claiborne J. Walton,
Francis U. Dodds,	Joseph H. Lewis,	William C. Webster,
James Edelin,	William McMillan,	Alex. H. Willingham—38.
David Elms,	Elijah S. Mitchusson,	

## Those who voted for Mr. Wintersmith, were

Granville C. Alfred,	Jacob S. Golladay,	William C. McNary,
Solomon Baker,	David Griggs,	Strother D. Mitchell,
Charles M. Briggs,	John B. Holladay,	Andrew Monroe,
James L. Caldwell,	Henry S. Johnson,	William T. Samuels,
A. D. Cosby,	Alfred M. Jones,	Elijah G. Seabee,
Ellis Duncan,	John A. Keith,	Joshua H. Thomas,
Price Edrington,	John J. Landrum,	Francis Troutman—23.
Francis Ford,	Opie J. Lindsay,	

## Those who voted for Mr. Bullitt, were

Edwin S. Craig,	John G. James,	Thomas F. Marshall,
Elisha S. Fitch,	Benjamin H. Kerrick,	Henry D. McHenry,
Thomas R. Givens,	Robert G. Lewis,	Birch Musselman—9.

No one in nomination having received a majority of all the votes given, the House took another vote, which stood thus:

## Those who voted for Mr. McKee, were

William C. Anderson,	Benjamin F. Hume,	James C. Sprigg,
Curtis F. Burnam,	William G. Jackson,	Daniel B. Stivers,
Willis S. Chaplin,	Barnett C. Moran,	Napoleon B. Stone,
Christian Engleman,	William F. Moore,	Drury Tyre,
John J. Haley,	John J. Park,	John S. Williams,
Thomas R. Harman,	George Robertson,	James C. Wilmore,
Thomas Hagins,	Isaac N. Shepperd,	Francis H. Winfrey—21.

## Those who voted for Mr. Bates, were

William Bailey,	David Elms,	Robert O. Morgan,
Solomon Baker,	John F. Gaar,	Samuel M. Moore,
Cleaton Bane,	William C. Grier,	Thomas J. Nash,
Joseph H. Barlow,	Grant Green,	Joseph A. Nevitt,
John S. Boyd,	Norvin Green,	Micajah Oglesby,
A. H. Bryan,	Charles J. Helm,	Green Sterett,
John Calvert,	Alvin Herndon,	John J. Thomas,
Charles G. C. Canby,	Alvin M. Hume,	Lawrence S. Trimble,
Robert M. Carlisle,	Garland Hurt,	Thornton Triplett,
Hezekiah Cox,	John B. Laffoon,	Claiborne J. Walton,



Jonathan Davis,  
Francis U. Dodds,  
James Edelin,

Charles Lee,  
William McMillan,  
Elijah S. Mitchusson,

William C. Webster,  
Alex. H. Willingham—38.

Those who voted for Mr. Wintersmith, were

Granville C. Alfred,  
Charles M. Briggs,  
James L. Caldwell,  
A. D. Cosby,  
Ellis Duncan,  
Price Edrington,  
Francis Ford,  
Jacob S. Golladay,

David Griggs,  
John B. Holladay,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
John J. Landrum,  
Opie J. Lindsay,

William C. McNary,  
Strother D. Mitchell,  
Andrew Monroe,  
William T. Samuels,  
Elijah G. Sebree,  
Joshua H. Thomas,  
Francis Troutman—23.

Those who voted for Mr. Bullitt, were

Edwin S. Craig,  
Elisha S. Fitch,  
Thomas R. Givens,

Benjamin H. Kerrick,  
Joseph H. Lewis,  
Robert G. Lewis.

Thomas F. Marshall,  
Henry D. McHenry,  
Birch Musselman—9.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus :

Those who voted for Mr. McKee, were

William C. Anderson,  
Curtis F. Burnam,  
Willis S. Chaplin,  
Christian Engleman,  
John J. Haley,  
Thomas R. Harman,  
Thomas Hagins,

Benjamin F. Hume,  
William G. Jackson,  
Barnett C. Moran,  
William F. Moore,  
John J. Park,  
George Robertson,  
Isaac N. Shepperd,

James C. Sprigg,  
Daniel B. Stivers,  
Napoleon B. Stone,  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey—21.

Those who voted for Mr. Bates, were

William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
John S. Boyd,  
A. H. Bryan,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edeline,

David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Charles J. Helm,  
Alvin Herndon,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
William McMillan,  
Elijah S. Mitchusson,

Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
Green Sterett,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—38.

Those who voted for Mr. Wintersmith, were

Granville C. Alfred,  
Charles M. Briggs,  
James L. Caldwell,  
A. D. Cosby,  
Ellis Duncan,  
Price Edrington,  
Francis Ford,  
Jacob S. Golladay,

David Griggs,  
John B. Holladay,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
John J. Landrum,  
Opie J. Lindsay,

William C. McNary,  
Strother D. Mitchell,  
Andrew Monroe,  
William T. Samuels,  
Elijah G. Sebree,  
Joshua H. Thomas,  
Francis Troutman—23.

Those who voted for Mr. Bullitt, were

Edwin S. Craig,	Benjamin H. Kerrick,	Thomas F. Marshall,
Elisha S. Fitch,	Joseph H. Lewis,	Henry D. McHenry,
Thomas R. Givens,	Robert G. Lewis,	Birch Musselman—9.

Mr. Oglesby then withdrew the nomination of Mr. James P. Bates.

Mr. Helm then nominated Mr. Norvin Green as a suitable person to fill the office of Speaker.

And then the House adjourned.

## TUESDAY, NOVEMBER 4, 1851.

Mr. Joel W. Sallee, the member returned to serve in this House from the county of Pulaski; Mr. James H. Hundley, the member returned to serve in this House from the counties of Letcher, Pike, and Perry; and Mr. Isaac Burnett, the member returned to serve in this House from the county of Trigg, appeared, and having produced certificates of their election, and taken the oath prescribed by the Constitution, took their seats.

Mr. Golladay withdrew the nomination of Mr. Wintersmith.

Mr. Anderson withdrew the nomination of Mr. McKee; and Mr. McHenry withdrew the nomination of Mr. Bullitt.

Mr. McNary then nominated Mr. George Robertson as a suitable person to fill the office of Speaker; and the vote being taken, it stood thus:

Those who voted for Mr. N. Green, were

William Bailey,	John F. Gaar,	Samuel M. Moore,
Solomon Baker,	Thomas R. Givens,	Thomas J. Nash,
Cleaton Bane,	William C. Grier,	Joseph A. Nevitt,
Joseph H. Barlow,	Grant Green,	Micajah Oglesby,
James P. Bates,	Charles J. Helm,	John J. Park,
John S. Boyd,	Alvin Herndon,	Joel W. Sallee,
A. H. Bryan,	Thomas Hagins,	James C. Sprigg,
John Calvert,	Alvin M. Hume,	Green Sterett,
Charles G. C. Canby,	Garland Hurt,	John J. Thomas,
Robert M. Carlisle,	John B. Laffoon,	Lawrence S. Trimble,
Hezekiah Cox,	Charles Lee,	Thornton Triplett,
Jonathan Davis,	William McMillan,	Claiborne J. Walton,
Francis U. Dodds,	Elijah S. Mithusson,	William C. Webster,
James Edelin,	Robert O. Morgan,	Alex. H. Willingham—43.
David Elms,		

Those who voted for Mr. Robertson, were

Granville C. Alfred,	Benjamin F. Hume,	Andrew Monroe,
William C. Anderson,	James H. Hundley,	Barnett C. Moran,
Charles M. Briggs,	William G. Jackson,	William F. Moore,
Joshua F. Bullitt,	John G. James,	Birch Musselman,
Curtis F. Burnam,	Henry S. Johnson,	William T. Samuels,
James L. Caldwell,	Alfred M. Jones,	Elijah G. Sebree,
A. D. Cosby,	John A. Keith,	Isaac N. Shepperd,
Edwin S. Craig,	Benjamin H. Kerrick,	Daniel B. Stivers,
Ellis Duncan,	John J. Landrum,	Napoleon B. Stone,
Christian Engleman,	Joseph H. Lewis,	Joshua H. Thomas,
Elisha S. Fitch,	Robert G. Lewis,	Francis Troutman,
Francis Ford,	Opie J. Lindsay,	Drury Tye,
Jacob S. Golladay,	Henry D. McHenry,	John S. Williams,
David Griggs,	George R. McKee,	James C. Wilmore,
John J. Haley,	William C. McNary,	Francis H. Winfrey,
Thomas R. Harman,	Strother D. Mitchell,	Chas. G. Wintersmith—49.
John B. Holladay,		

For Mr. Bullitt—Thomas F. Marshall.

Mr. George Robertson, having received a majority of all the votes given, was declared duly elected Speaker, and conducted to the Chair; from whence he returned thanks for the honor conferred, and recommended the observance and preservation of good order and decorum.

Mr. Thomas J. Helm was unanimously elected Clerk, and Mr. Joseph Gray Sergeant-at-Arms; whereupon, they severally took the oath prescribed by the Constitution.

Mr. Joseph H. Lewis nominated Mr. John M. S. McCorkle as a suitable person to fill the office of Assistant Clerk.

Mr. McKee nominated Mr. E. R. Smith, and Mr. R. G. Lewis nominated Mr. John B. Herndon; and the vote being taken, it stood thus:

Those who voted for Mr. McCorkle, were

Granville C. Alfred,	Thomas R. Givens,	Thomas J. Nash,
Solomon Baker,	Jacob S. Gollady,	Joseph A. Nevitt,
Joseph H. Barlow,	David Griggs,	Micajah Oglesby,
James P. Bates,	Garland Hurt,	John J. Park,
Charles M. Briggs,	William G. Jackson,	Joel W. Sallee,
A. H. Bryan,	Alfred M. Jones,	William T. Samuels,
Joshua F. Bullitt,	Benjamin H. Kerrick,	Elijah G. Sebree,
Isaac Burnett,	John B. Laffoon,	Isaac N. Shepperd,
Willis S. Chaplin,	John J. Landrum,	Green Sterett,
A. D. Cosby,	Charles Lee,	John J. Thomas,
Edwin S. Craig,	Joseph H. Lewis,	Joshua H. Thomas,
Jonathan Davis,	Opie J. Lindsay,	Lawrence S. Trimble,
Francis U. Dodds,	Henry D. McHenry,	Claiborne J. Walton,
Ellis Duncan,	William C. McNary,	William C. Webster,
James Edelin,	Strother D. Mitchell,	James C. Wilmore,
David Elms,	Robert O. Morgan,	Francis H. Winfrey,
Christian Engleman,	Birch Musselman,	Chas. G. Wintersmith—51

## Those who voted for Mr. Smith, were

William C. Anderson,	Norvin Green,	Elijah S. Mitchusson,
John S. Boyd,	John J. Haley,	Andrew Monroe,
Curtis F. Burnam,	Thomas R. Harman,	Barnett C. Moran,
James L. Caldwell,	Alvin Herndon,	William F. Moore,
John Calvert,	Alvin M. Hume,	James C. Sprigg,
Charles G. C. Canby,	Benjamin F. Hume,	Daniel B. Stivers,
Hezekiah Cox,	James H. Hundley,	Thornton Triplett,
Francis Ford,	Thomas F. Marshall,	Francis Troutman,
John F. Gaar,	George R. McKee,	Drury Tye,
William C. Grier,	William McMillan,	Alex. H. Willingham—31.
Grant Green,		

## Those who voted for Mr. Herndon, were

Mr. Speaker, (Robertson,)	Charles J. Helm,	John A. Keith,
William Bailey,	Thomas Hagins,	Robert G. Lewis,
Cleaton Bane,	John B. Holladay,	Samuel M. Moore,
Robert M. Carlisle,	John G. James,	Napoleon B. Stone,
Elisha S. Fitch,	Henry S. Johnson,	John S. Williams—15.

Mr. John M. S. McCorkle having received a majority of all the votes given, was declared duly elected Assistant Clerk; whereupon he took the oath prescribed by the Constitution.

Mr. Anderson nominated Mr. Richard R. Bolling as a suitable person to fill the office of Door-keeper.

Mr. Mitchell nominated Mr. William R. Campbell.

Mr. Alfred nominated Mr. Charles S. Frederici, and Mr. Cox nominated Mr. Ben. P. Connell; and the vote being taken, it stood thus:

## Those who voted for Mr. Bolling, were

William C. Anderson,	John F. Gaar,	Elijah S. Mitchusson,
William Bailey,	William C. Grier,	Samuel M. Moore,
Solomon Baker,	Grant Green,	Thomas J. Nash,
Cleaton Bane,	Charles J. Helm,	Joseph A. Nevitt,
Joseph H. Barlow,	Alvin Herndon,	Micajah Oglesby,
John S. Boyd,	Thomas Hagins,	Joel W. Sallee,
A. H. Bryan,	Alvin M. Hume,	Isaac N. Shepperd,
Isaac Burnett,	Benjamin F. Hume,	Napoleon B. Stone,
John Calvert,	Garland Hurt,	John J. Thomas,
Charles G. C. Canby,	Alfred M. Jones,	Lawrence S. Trimble,
Robert M. Carlisle,	John B. Laffoon,	Claiborne J. Walton,
Jonathan Davis,	Charles Lee,	Francis H. Winfrey—33.
James Edelin,	William McMillan,	

## Those who voted for Mr. Campbell, were

Mr. Speaker, (Robertson,)	William G. Jackson,	William F. Moore,
Joshua F. Bullitt,	John G. James,	Birch Musselman,
Curtis F. Burnam,	Henry S. Johnson,	John J. Park,
James L. Caldwell,	John A. Keith,	Elijah G. Sebree,
A. D. Cosby,	Benjamin H. Kerrick,	James C. Sprigg,
Edwin S. Craig,	John J. Landrum,	Green Sterett,
Elisha S. Fitch,	Robert G. Lewis,	Daniel B. Stivers,
Francis Ford,	Opie J. Lindsay,	Joshua H. Thomas,



Thomas R. Givens,	Thomas F. Marshall,	Francis Troutman,
Jacob S. Golladay,	Henry D. McHenry,	Drury Tye,
Thomas R. Harman,	William C. McNary,	John S. Williams,
James H. Hundley,	Strother D. Mitchell,	James C. Wilmore—36.

## Those who voted for Mr. Frederici, were

Granville C. Alfred,	David Griggs,	Andrew Monroe,
Charles M. Briggs,	John J. Haley,	Barnett C. Moran,
Willis S. Chaplin,	John B. Holladay,	William T. Samuels,
Ellis Duncan,	Joseph H. Lewis,	William C. Webster,
Christian Engleman,	George R. McKee,	Chas. G. Wintersmith—15.

## Those who voted for Mr. Connell, were

James P. Bates,	David Elms,	Thornton Triplett,
Hezekiah Cox,	Norvin Green,	Alex. H. Willingham—8.
Francis U. Dodds,	Robert O. Morgan,	

Mr. Cox then withdrew the nomination of Mr. Connell.

Mr. Wintersmith moved the following resolution, to-wit:

*Resolved*, That the person in nomination for Door-keeper who shall receive the least number of votes on the next ballot, be then withdrawn.

Which was adopted.

The House then proceeded to take another vote, which stood thus:

## Those who voted for Mr. Bolling, were

William C. Anderson,	David Elms,	Elijah S. Mitchusson,
William Bailey,	John F. Gaar,	Robert O. Morgan,
Solomon Baker,	William C. Grier,	Samuel M. Moore,
Cleaton Bane,	Grant Green,	Thomas J. Nash,
Joseph H. Barlow,	Norvin Green,	Joseph A. Nevitt,
James P. Bates,	Charles J. Helm,	Micajah Oglesby,
John S. Boyd,	Alvin Herndon,	Joel W. Sallee,
A. H. Bryan,	Thomas Hagins,	Isaac N. Shepperd,
Isaac Burnett,	Alvin M. Hume,	Napoleon B. Stone,
John Calvert,	Benjamin F. Hume,	John J. Thomas,
Charles G. C. Canby,	Garland Hurt,	Lawrence S. Trimble,
Robert M. Carlisle,	Alfred M. Jones,	Thornton Triplett,
Hezekiah Cox,	John B. Laffoon,	Claiborne J. Walton,
Jonathan Davis,	Charles Lee,	Alex. H. Willingham,
Francis U. Dodds,	William McMillan,	Francis H. Wintrey—46.
James Edelin,		

## Those who voted for Mr. Campbell, were

Mr. Speaker, (Robertson,)	James H. Hundley,	William F. Moore,
Joshua F. Bullitt,	William G. Jackson,	Birch Musselman,
Curtis F. Burnam,	John G. James,	John J. Park,
James L. Caldwell,	Henry S. Johnson,	Elijah G. Seabee,
A. D. Cosby,	John A. Keith,	James C. Sprigg,
Edwin S. Craig,	Benjamin H. Kerrrck,	Green Sterett,
Elisha S. Fitch,	John J. Landrum,	Daniel B. Stivers,
Francis Ford,	Robert G. Lewis,	Joshua H. Thomas,
Thomas R. Givens,	Opie J. Lindsay,	Francis Troutman,
Jacob S. Golladay,	Thomas F. Marshall,	Drury Tye,

David Griggs,  
John J. Haley,  
Thomas R. Harman,

Henry D. McHenry,  
William C. McNary,  
Strother D. Mitchell,

John S. Williams,  
James C. Wilmore—38.

Those who voted for Mr. Frederici, were

Granville C. Alfred,  
Charles M. Briggs,  
Willis S. Chaplin,  
Ellis Duncan,  
Christian Engleman,

John B. Holladay,  
Joseph H. Lewis,  
George R. McKee,  
Andrew Monroe,

Barnett C. Moran,  
William T. Samuels,  
William C. Webster,  
Chas. G. Wintersmith—13.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus :

Those who voted for Mr. Bolling, were

Granville C. Alfred,  
William C. Anderson,  
William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,

David Elms,  
Christian Engleman,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Benjamin F. Hume,  
Garland Hurt,  
Alfred M. Jones,  
John B. Laffoon,  
Charles Lee,  
William McMillan,  
Elijah S. Mitchusson,

Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
Joel W. Sallee,  
William T. Samuels,  
Isaac N. Shepperd,  
Napoleon B. Stone,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
Francis H. Winfrey—50.

Those who voted for Mr. Campbell, were

Mr. Speaker, (Robertson,)  
Charles M. Briggs,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
James L. Caldwell,  
Willis S. Chaplin,  
A. D. Cosby,  
Edwin S. Craig,  
Ellis Duncan,  
Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,  
John J. Haley,  
Thomas R. Harman,

John B. Holladay,  
James H. Hundley,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
Thomas F. Marshall,  
Henry D. McHenry,  
George R. McKee,  
William C. McNary,

Strother D. Mitchell,  
Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
John J. Park,  
Elijah G. Seabee,  
James C. Sprigg,  
Green Sterett,  
Daniel B. Stivers,  
Joshua H. Thomas,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Chas. G. Wintersmith—46.

Mr. Bolling having received a majority of all the votes given, was declared duly elected Door-keeper, and took the oath prescribed by the Constitution.

*Ordered*, That Mr. Bullitt inform the Senate that this House having

met, formed a quorum, and elected their officers, are now ready to proceed to legislative business.

A message was received from the Senate by Mr. Preston.

MR. SPEAKER: I am directed by the Senate to inform this House that the Senate having met, formed a quorum, and elected their officers, are now ready to proceed to legislative business. That they had appointed a committee on their part to act in conjunction with a committee on the part of this House, to wait on the Governor, and inform him that they are now ready to receive such communication, by way of message, as he may think proper to make.

Whereupon, Messrs. Marshall, McHenry, and J. H. Lewis, were appointed a committee on the part of this House.

After a short time, Mr. Marshall, from said committee, reported that they had performed the duty assigned them, and was informed by the Governor that he would forthwith make a communication to them in their respective chambers by way of message.

A message was received from the Governor by Mr. Meriwether, Secretary of State.

MR. SPEAKER: I am directed by the Governor to lay before this House a message in writing.

The said message was then taken up, and read as follows, viz:

*Gentlemen of the Senate and House of Representatives:*

I congratulate you upon your assembling at the capitol. You have been chosen to legislate for a people whose government secures to them civil and religious liberty, and who are in the enjoyment of an almost unexampled degree of peace and prosperity. The Supreme Being has bountifully blessed us as a people, and it becomes us to be thankful for all the mercies and blessings He has bestowed upon us, and humbly to invoke at His hands a continuance of His favor.

In discharging the duty imposed upon me by the constitution, to inform you of the state of the commonwealth, and recommend for your consideration such measures as I may deem expedient, I rely with confidence upon your vigilance to supply any omission on my part; and assure you that I shall at all times be ready to co-operate with you in any measures which you may adopt calculated to promote the public welfare.

The last few years form an interesting and important period in our history. A constitution, having for its fundamental basis the principle that sovereignty in the state abides with the popular will, and that all political power belongs of right to the people, has been adopted, and the government peacefully and quietly organized under it. The duty of enacting the necessary laws to put it into operation devolved upon the last legislature, and, in the course of a long and laborious session, many statutes were passed, some of which are no doubt imperfect, and require amendment. You have witnessed their practical operation, and it will not be necessary for me to call your attention to them in detail.

During the last session, a difference, as you are aware, arose between my predecessor in office, on the one hand, and the superintendent of public instruction and the legislature, on the other, upon the question of the liability of the sinking fund, under the provisions of the constitution, for the payment of the interest upon the bonds of the state held by the board of education. A bill was passed, directing the commissioners of the sinking fund to pay the interest, which was vetoed by the executive, and, after full consideration, the legislature again passed it by a large majority, the objections of the governor to the contrary notwithstanding, and it became a law. My predecessor, believing that the act was unconstitutional, refused to obey it. This was the posture of affairs when I entered upon the discharge of my official duties. Two semi-annual installments of the interest due the board of education remained unpaid.

As the question has heretofore undergone very thorough investigation, and elaborate discussion, I deem it unnecessary, at this time, to dwell upon it, farther than to state, that as the head of the executive department, and a member of the board of commissioners of the sinking fund, I felt constrained, by a conscientious conviction of duty, to differ from the views of my predecessor upon it, and to carry out in good faith the law, so far as the power vested in me, and the resources of the sinking fund would enable me. For this purpose I caused a full meeting of the board of commissioners of the sinking fund to be convened on the sixteenth of last month, before whom was laid a statement of the condition of the sinking fund, and I am happy to inform you that the board unanimously passed an order directing the auditor to draw his warrant upon the treasury in favor of the board of education, for the sum of \$67,013 50, the amount of the two installments of interest due upon the bonds before mentioned. This action on the part of the commissioners is regarded as a final settlement of this vexed question, and it is not doubted that the sinking fund will henceforth be held legally and constitutionally bound to meet all future installments of interest upon the education bonds. It was due to the people and to the great cause of education that this important question should be definitely settled, and I cannot withhold an expression of satisfaction at the result, which will secure in future the prompt payment of the interest arising upon the bonds set apart for the support of common schools.

Before proceeding to inquire into the condition of the sinking fund, I deem it my duty to inform you that my predecessor, with the sanction of the commissioners of the sinking fund, appropriated the sum of \$225,000 of the resources of the sinking fund, in the purchase of \$250,000 of bonds on the state, held by the bank of Kentucky, bearing an interest of five per cent. per annum, and having about fifteen years to run, before they became due, and in paying the sum of \$2,343 75 interest upon them. This



transaction occurred on the 17th of May, 1851. It is not deemed necessary, at this time, to inquire into the policy of this investment. It has been made and cannot be recalled; but it will account for the embarrassed condition of the sinking fund, as exhibited in the following statements of its condition, resources, and liabilities:

The actual and supposed receipts of the sinking fund, for the year ending the 1st day of January, 1852, including balance on hand at the close of the year 1850, the revenue transferable by the auditor from the revenue to the credit of the sinking fund, the dividends due from the banks, and the receipts from all other sources, are - - - - - \$ 592,416 47

The actual and supposed amount of disbursements during the same period, including repairs on rivers, payment of interest on state bonds held by individuals and corporations, and by the board of education, and all other expenses, - - - - - 615,025 31

Supposed deficit, January 1st, 1852, - - - - - \$ 22,608 84

Estimated disbursements of the sinking fund for the year ending January 1st, 1853, including interest upon state bonds held by individuals and corporations, and the board of education, and other expenses, - - - 317,013 50

Total, - - - - - \$ 339,622 34

Estimated receipts into the sinking fund for the year ending 1st of January, 1853, including revenue transferable by auditor to the credit of the sinking fund, the dividends due from banks, and receipts from all other sources, - - - - - 317,050 00

Supposed deficit, January 1st, 1853, - - - - - \$ 22,572 34

Estimated disbursements of the sinking fund for the year ending January 1st, 1854, including interest upon state bonds held by individuals and corporations, and by the board of education, and other expenses, - 317,013 50

Total, - - - - - \$ 339,585 84

Estimated receipts into the sinking fund for the year ending 1st of January, 1854, including revenue transferable by auditor to the credit of the sinking fund, dividends due from banks, and receipts from all other sources, - - - - - 318,200 00

Supposed deficit, January 1st, 1854, - - - - - \$ 21,385 84

If the liabilities against the treasury should not be increased, or the receipts diminished, the estimates of the auditor show a balance in the treasury on the 10th of October 1853, of the sum of \$110,480 00, all of which, except the sum of \$5,000 retained in the treasury, will be transferred to the sinking fund, as required by law, which will increase its re-

sources for the year ending January 1st, 1854, the sum of \$105,480 00. This sum would liquidate the supposed deficit in the sinking fund on that day, and leave a balance in it of \$84,094 16. It is apparent that after the sinking fund shall have recovered from its present temporary embarrassment, its resources will be amply sufficient to meet promptly the interest of the entire debt of the state. For a detailed account of the management, operations, and resources of this fund, you are referred to the reports of the auditor and commissioners of the sinking fund, which will in due time be laid before you.

I subjoin a statement of the public debt. In this statement is included the debt due to individuals and corporations, and that due to the board of education.

There is now due of the public debt	- - - -	\$ 445 00
Of bonds bearing 5 per cent. interest there will fall due		
in 14 years, the sum of	- - - \$	221,000 00
In 15 years, the sum of	- - -	100,000 00
In 20 years, the sum of	- - -	165,000 00
In 22 years, the sum of	- - -	100,000 00
		<hr/>
Total amount of 5 per cent. bonds,	- - - -	586,000 00
Of bonds bearing 6 per cent. interest there will fall due		
in 17 years, the sum of	- - - \$	1,250,000 00
In 19 years, the sum of	- - -	447,500 00
In 20 and 21 years, the sum of	- - -	1,738,000 00
In 23 years, the sum of	- - -	150,000 00
In 25 and 27 years, redeemable after 15		
years, at the pleasure of the state,	- - -	69,000 00
In 30 years, (Southern bank bonds,)	- - -	150,000 00
The Craddock fund, 6 per cent.,	- - -	6,592 81
		<hr/>
Total amount of 6 per cent. bonds,	- - - -	3,811,092 81
Amount of bonds held by the board of education,	- - - -	1,326,770 01
		<hr/>
Total amount of public debt,	- - - -	\$5,724,307 82

Of the school bonds the sum of \$1,259,270 01 bears five per cent. interest, and the sum of \$67,500 00, six per cent.

To pay this debt the state has the following resources, if they could be applied to that purpose: \$939,000 of stock in the bank of Kentucky; \$290,000 of stock in the Northern bank of Kentucky; \$40,600 of stock in the bank of Louisville; and \$150,000 of stock in the Southern bank of Kentucky; to which may be added \$150,000 of stock in the Lexington and Frankfort railroad, and \$76,420 25 bonds on the Louisville and Frankfort railroad company—making in all the sum of \$1,646,020 25. The state has, in addition, \$2,694,239 98, stock in turnpike roads—supposed to be worth about twenty-five or thirty cents to the dollar—besides her investments in rivers, &c.

The sinking fund was established by law, and dedicated, by the constitution, for the payment of the interest and final extinguishment of the public debt. To preserve the good faith and credit of the state, and be prepared to meet at maturity every dollar of this debt, is the settled policy of the commonwealth, and there can be no doubt that those great and desirable ends will be certainly accomplished. I would recommend nothing which would, in the slightest degree, conflict with this sound policy, but will cheerfully unite with you in any measure necessary to secure this result.

On the 8th of June, 1850, Governor Crittenden, in obedience to the acts establishing the Southern bank of Kentucky, subscribed for, and on account of the state, five thousand shares, amounting to five hundred thousand dollars, of the capital stock of said bank; and on the 1st of January, 1851, the bonds of the state to the amount of one hundred and fifty thousand dollars were issued by Gov. Helm, in part payment of said subscription. In the foregoing statement of the public debt, however, I have only included the amount of bonds actually issued, and have, on the other hand, only estimated that sum in estimating the resources of the state for the liquidation of the debt. The bank, by the provisions of its charter, guaranties the state against the payment of interest upon the bonds issued and to be issued in payment of the stock.

From the statements furnished me by the auditor of public accounts, I am enabled to lay before you the condition of the treasury on the 10th of October, 1851, and its estimated condition on the 10th of October, 1852, and 10th of October, 1853. The report which the auditor will make to you will give a more detailed statement of the condition, and probable condition, of the treasury, at those several periods.

In consequence, however, of the early period of the meeting of the general assembly, and the heavy press of business, the auditor will not be able to make his detailed report to you in the early part of the session; but the receipts and expenditures which will be furnished by him at the commencement of the session will give the condition of the treasury.

The receipts into the treasury during the year ending on		
the 10th October, 1851, including \$96,857 06, balance		
on hand 10th October, 1850, were		\$738,245 52
Expenditures from 10th October, 1850, to 10th October,		
1851,		733,653 40
Balance in treasury 10th October, 1851,		\$4,592 12
Of the foregoing receipts there was transferred to the		
sinking fund the sum of		214,479 83
And to school fund,		149,715 53

It is proper to inform you that there is included in the foregoing statement the sum of \$22,873 97 of the revenue for the fiscal year ending the 10th of October, 1852, but which was paid before the 10th of October, 1851; and that the sum of \$90,574 22 of liabilities properly chargeable against the treasury during the fiscal year ending on the latter day, was not paid for the want of sufficient means in the treasury to meet it, and consequently transferred in the estimates of the auditor, as liabilities against it for the succeeding year, and included in the amount of estimated expenditures for the year ending 10th of October, 1852. Had those liabilities been charged to the treasury for the fiscal year ending 10th of October last, and none of the revenue of the fiscal year ending 10th of October, 1852, been included in the foregoing estimate, it would have shown a deficit in the treasury on the 10th of October last of the sum of \$108,856 07, which very nearly corresponds with the estimated condition of the treasury, made in a special report of the present able and efficient auditor to the senate of Kentucky, at the last session of the legislature.

An act of the last general assembly, approved March 24th, 1851, authorized the governor to borrow the sum of fifty thousand dollars to supply an anticipated deficit in the treasury for the fiscal year ending on the 10th of October, 1851, occasioned as the preamble to the act recites, on account of the appropriation of \$35,000 to pay the liabilities contracted by the commissioners of the second lunatic asylum, and the unusual length of that session of the legislature. By virtue of that act, my predecessor borrowed the sum authorized by it from the bank of Kentucky, and executed bonds for its payment. The bonds state that the loan was made upon the faith, and upon the agreement, that it should be paid out of the revenue payable into the treasury for the year 1851. The sum thus borrowed was audited by the auditor and paid into the treasury, and is included in the foregoing amount of receipts into the treasury for the fiscal year ending on the 10th of October last, but its payment is chargeable against the treasury, in the estimates for the next fiscal year. Notwithstanding this, the \$35,000 appropriation to the second lunatic asylum was not paid in the last fiscal year, but is carried over and charged to the treasury, in the estimates for the year ending 10th of October, 1852. Thus have the appropriation and the money which was borrowed to pay it, both become outstanding liabilities against the treasury for the fiscal year which expires on that day.

It will be seen, by reference to the auditor's report, that the increase in the valuation of taxable property in the commonwealth, in 1851 over the year 1850, is \$17,700,295 00, making an increase of revenue of \$32,854 86.



For the year ending 10th October, 1852, it is estimated by the auditor that the receipts into the treasury, from all sources, will be - - - - -

\$ 602,838 46

Whilst the expenditures, including the sum payable to the sinking fund, and for school purposes, &c., will be

625,358 46

Supposed deficit in the treasury on 10th October, 1852,

\$ 22,520 00

The auditor states, that if the legislature should sit longer than ninety days, this sum of \$22,520, (supposed amount due from the treasury,) will be increased at the rate of \$500 per day, and if the session should be less than ninety days this amount will be diminished at the same rate. The auditor further states that he has made no estimate in the supposed expenditures for the purchase of law books, of various kinds, which are required under certain contingencies, by an act of the legislature, approved 24th March, 1851, to be furnished to justices of the peace and county judges, and that it is presumed they will cost several thousand dollars.

The present condition of the finances of the state requires that those to whom the people have delegated, for the time being, the management of the government, should exercise the most rigid economy. Whilst I would be very far from recommending, or even encouraging, any course which might be deemed parsimonious, economy in appropriating the public money, together with a strict accountability of all public officers entrusted with its management, should be observed.

It is estimated by the auditor that the receipts into the treasury from all sources, for the year ending 10th of October, 1853, not including the amount received to the credit of the sinking fund and school fund, will be

\$356,000 00

And that the expenditures for the same year, including deficit of the previous year, and not including payments made for sinking fund and school fund, will be

245,520 00

Balance in treasury 10th October, 1853, - -

\$110,480 00

You are referred to the report of the treasurer for a statement of the treasury department during the past year.

In view of the present embarrassed condition of the finances, as the legislature will not assemble again for two years to come, it may become necessary, before that time, to resort to a loan to supply the treasury, or sinking fund, or both, to meet any contingency which may arise, in order to preserve the public credit. I therefore recommend that the governor be authorized to negotiate a temporary loan, if necessary, in the meantime, for that purpose, to be used or not, as the exigencies of the case may require, unless the general assembly should prefer to resort to some other means to raise the amount required to liquidate the deficit.

The educational interests of the state will demand your attention. The common school system is being rapidly extended, and the number of schools and scholars is steadily increasing. The people of every part of the state are deeply interested in, and attached to, the cause of common school education. The education of the children of the state is an object of the very first importance. The wise provisions of the constitution, protecting the school interest, have placed the system on a firmer and surer basis than it has ever heretofore occupied. It becomes you as the guardians of this great and vital interest of the people, to cherish and protect it, and to see that none of its revenues, provided by the existing laws, are withheld or diverted. The prompt payment of all its revenues is necessary to its successful maintenance.

The progress which the system has made during the past year, is most encouraging to the friends of common schools, and gratifying to the friends of morality, virtue, and intelligence. If it should continue to receive the fostering care of the state—which I do not doubt—we will in a few years have a system of common schools permanently established, extending its blessings to every child in the commonwealth—a system worthy of Kentucky, and worthy of the age in which we live. It is to be hoped that it has passed through its last and severest trial, and that it will go on to fulfill the most sanguine expectations of its friends.

Amongst the grand and enduring objects to which all men, of all parties, in all time, may devote their earnest energies, this one, of the universal education of mankind, is surely conspicuous. We have entered on this glorious race with all that ardor which distinguishes our people; and I will not allow myself to doubt that all we have yet accomplished, great as it is, is but an earnest of the great and perfect work which we have proposed to ourselves. One of the most pleasing parts of my official duty will be to co-operate in this noble and beneficent design.

Many questions, connected with the general organization and practical working of the common school system, it is to be presumed, will come under discussion during the present session of the legislature, on that part of the report of the commissioners to revise the statute laws. Without entering into any details, I respectfully suggest that the great aim should be to make our common school system extremely simple, and to interpose as few obstacles as possible between the schools and the aid furnished them by the state. Probably not above one-fifth or one-sixth part of the money actually expended in primary education in Kentucky is furnished by the state. While the state has the right to prescribe the conditions on which this aid is granted, and the manner in which it shall be applied, the people have a corresponding right to decline accepting it, on any condition or in any manner inconsistent with the interest involved in the far greater contributions privately made by

themselves. It is obvious, therefore, that the state is bound, by very high considerations, to adjust the whole matter in such a way as to accord with the habits, and manners, and wishes of the people, at the same time that security and the faithful application of the public funds are properly provided for. Great changes in the system are to be avoided. The system actually in operation has been carefully matured, and is generally understood by the people.

A clause of the 11th article of the constitution provides that each county shall be entitled to its proportion of the school fund, and, if not called for, for common school purposes, that it shall be re-invested, from time to time, for the benefit of such county. I respectfully recommend that a law be passed for the proper carrying out of that provision of the constitution, and prescribing in what manner the investment directed by it shall be made.

From the superintendent of public instruction you will receive all the aid which zeal, ability, and a most intimate acquaintance with the common school system can afford; and I refer you to his annual report for the detailed operations of the system during the past year, and invite your attention to such suggestions as he may make for the improvement and perfection of the system.

The annual resources of the school fund are as follows:

Interest on \$1,326,770 01, bonds of the state held by the board of education,	\$ 67,013 50
Dividends on \$73,500 of stock in the bank of Kentucky, about	5,880 00
Two cents on each hundred dollars of taxable property, about	59,600 00
Tax on the capital stock of the Farmers bank of Kentucky,	3,269 50
Total,	<u>\$ 135,763 00</u>

The number of children in the state, between the ages of five and sixteen years, is about two hundred and four thousand four hundred and thirty-two.

As the interest upon the bonds due to the board of education could not be obtained from the sinking fund, on account of the failure of the commissioners to order its payment, the sum of \$40,809 45 was drawn from the treasury, in pursuance of law, by the superintendent of public instruction, to pay for schools taught in 1850, which was directed by an act of the last general assembly to be charged to the board of education, and has recently been paid by a transfer to the treasury of that much of the arrearages of interest payable to the board of education, under the late order of the commissioners of the sinking fund. The payment of that sum by the treasury was one of the causes of its embarrassment.



You will be made acquainted with the condition and management of the lunatic asylums, and the deaf and dumb asylum, by the reports of those under whose superintendence they are placed, which will in due time be laid before you.

It is with regret that I inform you that the Kentucky institute for the education of the blind, located at Louisville, was consumed by fire on the evening of the 29th of September last. I learn, from a card published by the president and trustees of the institution, that the loss to the state will not be large. The insurance on the buildings, it is thought, will to a great extent cover the loss. I understand that the officers and pupils of the institution have taken possession of the academical department of the Louisville university, which was kindly and liberally offered them by the trustees of the university. It is stated that no interruption to the progress of the usefulness of the institution will be caused by the event. I am informed by the president of the institution that it is in contemplation to erect another building, and that the trustees consider it expedient to procure a larger amount of land than that connected with the building recently destroyed, and for this purpose they request permission to sell the present land and to purchase elsewhere. I recommend such legislation as may be necessary to enable the president and trustees to accomplish that object. I invite your attention to the annual report of the president and trustees of the institution, which will in due time be laid before you.

Under the provisions of the constitution the question of internal improvement, so far as the further investment of the revenues of the state is concerned, is regarded as settled. All that can be now done is to keep the works in which the state has investments in repair, exercising economy in the expenditures for that purpose. I refer you to the report of the president of the board of internal improvement for a statement of the condition of the public works.

I call your attention to the affairs of the penitentiary. The number of persons in confinement on the 20th day of October, 1850, as shown by the report of the keeper to the last legislature, was one hundred and fifty nine. Received into the prison from the 20th day of October, 1850, to the 10th day of October, 1851, ninety-five—making two hundred and fifty-nine. The number discharged during the same time was seventy-eight, escaped five; leaving in confinement on the 10th day of October, 1851, one hundred and seventy-one. Of this number there are one hundred and fifty-four white males, and seventeen colored males. I refer you to the annual report of the keeper and agent for a statement of the management of the affairs of the prison for the past year.

The reasons which induced the convention to fix the first Monday in November, as the day for the meeting of the general assembly have, it is



believed, ceased to exist. For the first session or two after the adoption of the constitution it was proper that it should meet at an earlier period than formerly, on account of the numerous enactments necessarily required to put the new government into operation. Hereafter the sessions will not possess more than ordinary importance; all matters of legislation arising in future, can be as well attended to at one time as another, and the proper management of the fiscal concerns of the state would be better secured if the legislature met at a later period. The time at which the fiscal year of the revenue and sinking fund departments expires, and the school year ends, renders it almost impossible for the proper officers to make satisfactory reports to the legislature of the condition of the important trusts confided to them; and I therefore recommend that the time of the meeting of the general assembly be changed to some day in the latter part of December.

The commissioners appointed to revise the statute laws made a partial report to the legislature at its last session, and the statutes, so far as then reported, were passed, to take effect on the 1st day of July, 1852. Another, and perhaps final, report of the revision of the statutes will be made by them to you, which, if adopted, should go into effect at the same time with those already enacted. These, with the code of practice passed at the last session, are legal reforms, required by the constitution, from which it has been expected much good will result to the country. The code has been in operation since the first of August last, and a sufficient length of time, it is believed, has not elapsed to afford a full and fair trial of its merits, and for this reason, if there existed no other, it ought not in my judgment to be repealed.

It will be your duty to lay off the state into ten congressional districts, in such manner as shall be fair and just towards the citizens of every section of the commonwealth.

The dark and lowering clouds that recently threatened the existence of the union of the states of this glorious confederacy are happily passing away. Kentucky is the firm and devoted friend of the union; and is for maintaining inviolate and carrying out, in strictness and in truth, in letter and in spirit, the compromise measures passed by the last congress of the United States. She acknowledges the high and inestimable blessings which the union, under the national constitution, confers on each and all the states, and holds that all the provisions and guaranties of that sacred instrument are binding upon each and all. She invites no aggression, and places the cause of the union on the binding obligations of the federal constitution; and declares to the citizens of all the states, that good faith, in strictly and justly carrying out the provisions of the constitution, is essential to its preservation. The general government is one of limited powers, and it was never designed that it should

interfere with the domestic institutions of the states, and every attempt on the part of the national government to interfere with the right of property, or abridge the free exercise or control of property in the states, is a violation of the national compact, and an encroachment upon the sovereignty of the states—nor has congress the right to interfere with the question of slavery in the territories; it is a matter of domestic concernment, and its settlement should be left exclusively to the people of the territories.

It is deeply to be regretted that a portion of the citizens of some of the northern states of the confederacy have resisted, and attempted to resist, the execution of the fugitive slave law. All forcible acts of resistance to the execution of the laws are treason against the United States, and those who advise, aid, or abet such resistance, are traitors to the constitution, and enemies to the best interests of the republic. It is to be hoped that a rigorous prosecution and punishment of such offenders will cause the constitution and laws to be respected, and that their execution will no longer be resisted from any quarter. Kentucky expects from her sister states a faithful and impartial execution of the laws, and, whilst she most cheerfully acknowledges and accords to the northern states all the guaranties of the constitution, she demands that none of the guaranties of that sacred instrument be withheld from the south.

Happily for the cause of the union, and for the cause of human liberty, the factionists, whose baneful teachings threatened the existence of the union, have been rebuked by the potential voice of the people, in every quarter of the republic.

So far, the constitution and the union have fulfilled their high destinies. Under them we have grown from a weak to a strong power, distinguished alike in the arts of peace and war. Our progress in agriculture, manufactures, commerce, art, and science, has no parallel in the history of nations. In a little over sixty years, our people have increased from four to nearly twenty-four millions—we have grown from thirteen to thirty-one sovereign states. Our territories have been widely extended—our domain now reaches from ocean to ocean, and, every where, over our broad land, our people are protected in the enjoyment of civil and religious liberty, by the strong and broad shield of constitutional law. We are indebted to the constitution and the union for the countless blessings we have enjoyed as a nation, and for the proud and enviable stand we have assumed amongst the nations of the earth; and, “under the auspices of heaven and the precepts of Washington, Kentucky will be the last to give up the constitution and the union.”

L. W. POWELL.

NOVEMBER 4th, 1851.

On motion of Mr. Dodds,

*Resolved*, That the Public Printer forthwith print 5,000 copies of said message for the use of the members of this House.

On motion of Mr. Wintersmith,

*Resolved*, That the rules which governed the House of Representatives at its last session, be adopted as the rules of this House, until otherwise altered or amended.

Leave was given to bring in the following bills, viz :

On motion of Mr. Marshall—1. A bill to authorize the Judge of the Woodford Circuit Court to hold a special common law term of that Court.

On motion of Mr. N. Green—2. A bill to incorporate the Covington and Eminence Railroad Company.

*Ordered*, That Messrs. Marshall, Monroe, and J. H. Lewis, prepare and bring in the 1st; and Messrs. N. Green, S. M. Moore, Canby, Cox, Calvert, Landrum, and Carlisle, the 2d.

On motion of Mr. Monroe,

*Resolved*, That Mr. Joseph Gray, the Sergeant-at-Arms of this House, be allowed to avail himself of the services of Ben. Hardin, Jr., to assist him in the discharge of his duties during the present session.

On motion of Mr. Mitchell,

*Resolved*, That Mr. George W. Lewis be admitted to a seat in this House as Reporter for the Commonwealth and Yeoman newspapers.

And then the House adjourned.

#### WEDNESDAY, NOVEMBER 5, 1851.

The Speaker laid before the House a condensed report from the Auditor of Public Accounts.

The Speaker laid before the House a condensed report from the Treasurer.

1. Mr. Willingham presented the petition of E. Carman, to change the State road leading from the Tennessee river to Columbus.

2. Mr. Cox presented the petition of sundry citizens of Carroll county, stockholders in the Carrolton and Eagle Creek Turnpike Road Company, praying to be exempt from working on county roads.

Which were received, the readings dispensed with, and referred—the 1st to Messrs. Willingham, Bates, and Dodds; and the 2d to Messrs. Cox, James, and McHenry.

Mr. Marshall, from the committee appointed to prepare and bring in the same, reported a bill authorizing a special term of the Woodford Circuit Court, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and the title thereof be as aforesaid.

Mr. Monroe read and laid on the table the following resolutions, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Post Master at Frankfort be requested to keep an account of the postage for all "newspapers" and "printed matter" sent by mail by the members of the General Assembly, and present the same, at the close of the session, to the Auditor of Public Accounts, who is authorized to draw a warrant upon the Treasurer for the same, to be paid out of the Public Treasury.

*Resolved further*, That the Sergeants-at-Arms of the Senate and House of Representatives shall be required to take charge of all such documents, forwarded by the members, and deliver the same to the Post Master.

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with, said resolutions were twice read, and adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Anderson—1. A bill for the benefit of the infant children of John Braxdall, Jr., deceased.

On motion of Mr. Dodds—2. A bill to exempt persons over sixty years of age from paying poll tax.

On motion of Mr. Helm—3. A bill embodying into one and amending the several acts concerning roads in Campbell county.

On motion of Mr. Stone—4. A bill to incorporate the town of Jamestown, in Russell county.

On motion of Mr. J. J. Thomas—5. A bill to amend the justices' districts and election precincts in Christian county.

On motion of Mr. McKee—6. A bill to repeal an act, entitled, an act to establish a Code of Practice in civil cases in the Courts of this Commonwealth.

On motion of Mr. Willingham—7. A bill for the benefit of the Sheriff of Graves county.

On motion of same—8. A bill to change the time of meeting of the General Assembly.



On motion of Mr. Wintersmith—9. A bill to amend an act to organize County Courts in the several counties, approved March 11, 1851.

On motion of Mr. Samuels—10. A bill for the benefit of Samuel Haycraft, late Clerk of the Hardin Circuit and County Courts.

On motion of Mr. Walton—11. A bill to legalize the acts of certain officers.

On motion of Mr. Wilmore—12. A bill to incorporate the Kentucky State Medical Society.

On motion of Mr. S. M. Moore—13. A bill to authorize a conventional rate of interest of ten per cent. per annum.

On motion of same—14. A bill to amend the charter of the Kentucky Trust Company Bank.

On motion of Mr. Golladay—15. A bill for the benefit of George Hodges, of Logan county.

On motion of Mr. Mitchell—16. A bill for the benefit of the heirs of Benjamin F. Thomas, deceased.

On motion of Mr. McHenry—17. A bill for the benefit of Emily Shultz.

On motion of same—18. A bill for the benefit of the Trustees of the town of Hartford.

On motion of Mr. Webster—19. A bill to exempt flat boats, and other water craft from paying tolls on Green river, starting above the influence of slackwater navigation.

On motion of Mr. Alfred—20. A bill to incorporate the town of Duncansville, in Mercer county.

On motion of Mr. Shepperd—21. A bill authorizing the County Court of Wayne to appoint a Deputy Constable in District No. 6, in said county.

*Ordered*, That Messrs. Anderson, Stone, and Wilmore, prepare and bring in the 1st; Messrs. Dodds, Wintersmith, and Burnett, the 2d; Messrs. Helm, S. M. Moore, and Carlisle, the 3d; Messrs. Stone, Anderson, and Shepperd, the 4th; Messrs. J. J. Thomas, Golladay, and Sebree, the 5th; the committee on the Code of Practice, the 6th; Messrs. Willingham, Bates, and Dodds, the 7th; Messrs. Willingham, Burnett, and Bates, the 8th; Messrs. Wintersmith, Samuels, and Duncan, the 9th; Messrs. Samuels, Briggs, and Troutman, the 10th; Messrs. Walton, Bates, and Oglesby, the 11th; the committee on the Judiciary, the 12th; Messrs. S. M. Moore, Boyd, and Carlisle, the 13th; Messrs. S. M. Moore, Helm, and A. M. Hume, the 14th; Messrs. Golladay, Sebree, and J. J. Thomas, the 15th; the committee on Claims the 16th; Messrs. McHenry, J. H. Lewis, and Mussleman, the 17th; Messrs. McHenry, Craig, and Bullitt, the 18th; Messrs. Webster, Bates, and Oglesby, the 19th; Messrs.

Alfred, Anderson, and Stone, the 20th; and Messrs. Shepperd, Stone, and Anderson, the 21st.

A message was received from the Senate, announcing the passage of a bill from this House, entitled,

An act authorizing a special term of the Woodford Circuit Court.

Mr. Willingham moved the following resolution, to-wit:

*Resolved*, That a committee of ten be appointed to prepare and report a bill to this House, laying off this State into ten Congressional districts.

Which was adopted.

Mr. Boyd moved the following resolution, to-wit:

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of requiring the Master Commissioner in Chancery to execute a bond in an adequate penalty for the performance of the duties of his office.

Which was adopted.

Mr. Craig moved the following resolution, to-wit:

*Resolved*, That the Sergeant-at-Arms be directed to request the ministers of the different churches in Frankfort to open the sessions of this House each morning with prayer.

Which was adopted.

McNary moved a reconsideration of the vote of yesterday, to amend the rules.

And the question being taken thereon, it was decided in the affirmative.

Mr. Willingham moved to lay said motion on the table, which was decided in the affirmative.

And then the House adjourned.

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THURSDAY, NOVEMBER 6, 1851.

*Ordered*, That a committee on Propositions and Grievances be appointed: and a committee was appointed, consisting of Messrs. Winfrey, Harman, Engleman, W. F. Moore, Edrington, Samuels, and Carlisle; who are to meet and adjourn from day to day, and take into consideration all Propositions and Grievances which may legally come before

them, and all such matters as shall, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Privileges and Elections be appointed: and a committee was appointed, consisting of Messrs. Alfred, Caldwell, Landrum, Edelin, Cosby, Holladay, and Park; who are to meet and adjourn from day to day, and take into consideration and examine all returns for members returned to serve in this House during the present session of the General Assembly, and all questions concerning Privileges and Elections, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Claims be appointed: and a committee was appointed, consisting of Messrs. Anderson, James, Griggs, Tye, Halley, Stivers, and Bane; who are to meet and adjourn from day to day, and take into consideration all Public Claims, and all other matters that may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on the Judiciary be appointed: and a committee was appointed, consisting of Messrs. McKee, Burnam, Williams, Anderson, Boyd, S. M. Moore, and Shepperd; who are to meet and adjourn from day to day, and take into consideration all matters relating to Courts of Justice, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee are to inspect the Journal of the last session, and draw up a statement of the matters then pending and undetermined, and the progress made therein; also, examine what laws have expired since the last session, and inspect such temporary laws as will expire with this, or are now expiring, and report the same to this House, with their opinion thereon, which of them ought to be renewed and continued; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Religion be appointed: and a committee was appointed, consisting of Messrs. Herndon, R. G. Lewis, Edrington, Laffoon, Duncan, Hundley, and Nevitt; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to Religion and Morality, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Ways and Means be appointed : and a committee was appointed, consisting of Messrs. Burnett, Fitch, Johnson, Dodds, Hatfield, Oglesby, and A. M. Hume ; who are to meet and adjourn from day to day, and take into consideration the revenue laws, and all other matters relative to, or connected with, the fiscal concerns of this Commonwealth, and such other matters as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House ; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Internal Improvement be appointed : and a committee was appointed, consisting of Messrs. McNary, Wilmore, Webster, J. H. Thomas, Chaplin, Moran, and McMillan ; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to the improvement of the condition of the country by roads and canals, and such others as may legally come before them, reporting their proceedings, with their opinion thereon, to this House ; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Education be appointed : and a committee was appointed, consisting of Messrs. Burnam, Golladay, Keith, Jones, Jackson, James, and Triplett ; who are to meet and adjourn from day to day, and take into consideration all matters relating to Education, and the subjects connected therewith, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House ; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Military Affairs be appointed : and a committee was appointed, consisting of Messrs. Williams, Bailey, Landrum, Walton, Willingham, Mitchusson, and Cosby ; who are to meet and adjourn from day to day, and take into consideration the Militia Laws of this State, and all other matters in relation to the Militia, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House ; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on the Expenditures of the Board of Internal Improvement be appointed : and a committee was appointed, consisting of Messrs. Golladay, Musselman, Sallee, Canby, Baker, and Hagins ; who are to meet and adjourn from day to day, and take into consideration all matters in relation to the expenditures of money by the Board of Internal Improvement, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion



thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on the Penitentiary be appointed: and a committee was appointed, consisting of Messrs. N. Green, Monroe, B. F. Hume, Duncan, Wilmore, Hurt, and Givens; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Penitentiary, and such others as may, from time to time, be referred to them, and that they report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Agriculture and Manufactures be appointed: and a committee was appointed, consisting of Messrs. J. J. Thomas, Musselman, Gaar, Calvert, Jackson, Kerrick, and Thomson; who are to meet and adjourn from day to day, and take into consideration all matters relating to Agriculture and Manufactures, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on the Sinking Fund be appointed: and a committee was appointed, consisting of Messrs. Bullitt, J. H. Thomas, G. Green, Sterett, Kerrick, Lindsay, and Bryan; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Sinking Fund, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Banks be appointed: and a committee was appointed, consisting of Messrs. Troutman, James, Bryan, Shepherd, Stone, and Stivers; who are to meet and adjourn from day to day, and take into consideration all matters in relation to Banks, and examine, within the first thirty days of the session, the condition of all the Banks in the State, the amount of loans in the aggregate, and the proportion to the country, towns, and cities, and the amount loaned to Directors, and their liabilities on bills of exchange; and the several amounts the fifty highest debtors owe in the cities; and to inquire into and report all facts necessary to a complete understanding of their management, and such other matters in relation thereto, as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on the Library be appointed: and a committee was appointed, consisting of Messrs. Boyd, Craig, Ford, Davis,

and Holladay; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Public Library, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Public Offices be appointed: and a committee was appointed, consisting of Messrs. Harman, Elms, Engleman, and Nash; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to the Public Offices, examine into and report their condition and situation, with their proceedings and opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Printing be appointed: and a committee was appointed, consisting of Messrs. Fitch, Grier, Johnson, Lee, and Cox; whose duty it shall be to inquire into the manner in which the Public Printing is done, the accounts for printing particularly, and such other matters as may, from time to time, be referred to them by either House, and report as soon as practicable, what saving and improvement can be made conducive to the public interest; and they shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Federal Relations be appointed: and a committee was appointed, consisting of Messrs. Marshall, Burnett, Keith, Monroe, Samuels, J. H. Lewis, and Trimble; who are to meet and adjourn from day to day, and take into consideration all matters relating to Federal Relations, and such others as may, from time to time, be referred to them; and that they report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on the Court of Appeals be appointed: and a committee was appointed, consisting of Messrs. Mitchell, Craig, S. M. Moore, Triplett, and Barlow; who are to meet and adjourn from day to day, and take into consideration all matters relating to or connected with the Court of Appeals, and such others as may be, from time to time, referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Circuit Courts be appointed: and a committee was appointed, consisting of Messrs. Sprigg, Ford, Barlow, Morgan, and Caldwell; who are to meet and adjourn from day to day, and take into consideration all matters relating to or connected with the Circuit Courts, and such others as may, from time to time, be referred to

them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on County Courts be appointed: and a committee was appointed, consisting of Messrs. Bates, Helm, Trimble, Stone, and G. Green; who are to meet and adjourn from day to day, and take into consideration all matters relating to or connected with the County Courts, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on the Report of the Commissioners to revise the Statutes be appointed: and a committee was appointed, consisting of Messrs. Wintersmith, McHenry, Troutman, Briggs, and Bates; who are to meet and adjourn from day to day, and take into consideration all matters relating to or connected with the revision of the Statutes, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on the Code of Practice be appointed: and a committee was appointed, consisting of Messrs. Helm, Bullitt, J. H. Lewis, Marshall, and Wintersmith; who are to meet and adjourn from day to day, and take into consideration all matters relating to or connected with the Code of Practice, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee on Enrollments be appointed: and a committee was appointed, consisting of Messrs. Sebree, Briggs, Jones, Oglesby, and Grier.

Mr. Burnam presented the petition of Mr. James W. Clark, praying compensation for copying the original draughts of the Commissioners appointed to revise the Statute Laws of Kentucky; which was received, the reading dispensed with, and referred to the committee on Claims.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Anderson—1. A bill for the benefit of the infant children of John Braxdall, Jr., deceased.

By Mr. Wintersmith—2. A bill to amend an act to organize County Courts in the several counties, approved March 11, 1851, and to repeal the act to amend said act, approved March 24th, 1851.

By Mr. McHenry—3. A bill for the benefit of Emily Shultz.

By Mr. J. J. Thomas—4. A bill for changing the place of voting in the 5th district, and for the erection of an additional civil district and election precinct in Christian county.

By Mr. Golladay—5. A bill for the benefit of George Hodges, of Logan county.

By Mr. Cox—6. A bill for the benefit of the stockholders in the Carrolton and Eagle Creek Turnpike Road Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 4th, and 6th, were severally ordered to be engrossed and read a third time; and the 2d, 3d, and 5th, were referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 4th, and 6th bills having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the Public Printer forthwith print 150 copies of the 2d bill for the use of the members of the General Assembly.

On motion of Mr. Wintersmith,

*Ordered*, That a message be sent to the Senate, asking leave to withdraw the message of this House, announcing the adoption of resolutions providing for the payment of postage on documents sent by the members of the General Assembly.

After a short time, the messenger returned with said resolutions.

Mr. Wintersmith moved a reconsideration of the vote adopting said resolutions.

And the question being taken thereon, it was decided in the affirmative.

*Ordered*, That said resolutions be referred to Messrs. Monroe, Wintersmith, and Marshall.

Mr. Sebree, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in this House, entitled,

An act authorizing a special term of the Woodford Circuit Court.  
And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Sebree inform the Senate thereof.

Mr. N. Green read and laid on the table the following resolution, to-wit:

12551



*Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of three from the Senate, and five from the House of Representatives, be appointed to visit, examine, and report the condition of the Deaf and Dumb Asylum at Danville.*

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with, the said resolution was twice read, and adopted.

Mr. Oglesby read and laid on the table the following resolution, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of five on the part of the House of Representatives, and three on the part of the Senate, be appointed, whose duty it shall be to visit and examine into the condition of the Lunatic Asylum at Lexington, and make report thereof.*

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with, the said resolution was twice read, and adopted.

Leave was given to bring in the following bills, viz :

On motion of Mr. J. H. Lewis—1. A bill to provide for the surveying and re-marking the county line between Barren and Edmonson counties.

On motion of Mr. Bates—2. A bill to increase the jurisdiction of Justices of the Peace.

On motion of same—3. A bill to change the time of holding the several Magistrates' Courts in Barren county.

On motion of Mr. Anderson—4. A bill to incorporate the Boyle Lodge, No. 56, I. O. O. F., Perryville.

On motion of Mr. Helm—5. A bill to provide for the better support and organization of public schools in the city of Newport.

On motion of Mr. Cox—6. A bill to increase the tax on peddlers' license, who peddle in water craft on rivers and creeks in this Commonwealth, and retail spirituous liquors.

On motion of Mr. Winfrey—7. A bill extending the time for Trustees of Common Schools to make their annual reports to the County Commissioners.

On motion of Mr. R. G. Lewis—8. A bill for the benefit of John Elliott, and Mary Ann, his wife.

On motion of Mr. McKee—9. A bill to repeal all acts and parts of acts to establish a seat of Government for the Commonwealth of Kentucky at the town of Frankfort, and to establish a permanent seat of Government.

On motion of Mr. Sterett—10. A bill to amend the jury law.

On motion of Mr. Hurt—11. A bill for the benefit of David Howell, of Floyd county.

On motion of Mr. S. M. Moore—12. A bill to exempt the homestead from execution.

On motion of Mr. Burnam—13. A bill to extend the provisions of an act, entitled, an act regulating the price of taking up boats on the Ohio river, approved January 29, 1829, &c., to the Kentucky river.

On motion of same—14. A bill authorizing the Constable in District No. 6, in Madison county, to employ a Deputy to aid him in the discharge of his official duties.

On motion of Mr. Nash—15. A bill for the benefit of the President and Trustees of the Institute for the Education of the Blind.

On motion of Mr. Oglesby—16. A bill to amend an act incorporating the Trustees of the Centrepont Meeting House, in Monroe county.

On motion of Mr. Calvert—17. A bill authorizing the County Court of Owen to change the location of a part of the State road in said county, leading from Covington to Louisville.

On motion of Mr. Sallee—18. A bill to authorize the Judge of the Pulaski County Court to appoint a Deputy Constable in District No. 6, in said county.

On motion of Mr. Alfred—19. A bill to incorporate the Salvisa and Springfield Turnpike Road Company.

*Ordered*, That Messrs. J. H. Lewis, Walton, and Elms, prepare and bring in the 1st; Messrs. Bates, J. H. Lewis, and N. Green, the 2d; Messrs. Bates, J. H. Lewis, and Barlow, the 3d; the committee on the Judiciary, the 4th and 10th; Messrs. Helm, Williams, and Canby, the 5th; Messrs. Cox, N. Green, Landrum, Triplett, and Canby, the 6th; the committee on Education, the 7th; Messrs. R. G. Lewis, Fitch, Keith, and Johnson, the 8th; Messrs. McKee, Musselman, W. F. Moore, Harman, and Helm, the 9th; Messrs. Sterett, McNary, and J. H. Thomas, the 10th; the committee on Claims, the 11th; Messrs. S. M. Moore, Canby, Helm, and Carlisle, the 12th; Messrs. Burnam, Troutman, and Williams, the 13th; Messrs. Burnam, Moran, and Jackson, the 14th; Messrs. Nash, Winfrey, and Webster, the 15th; Messrs. Oglesby, Webster, and Sterett, the 16th; Messrs. Calvert, Cox, and McMillan, the 17th; and Messrs. Sallee, Haley, and Tye, the 18th.

A message was received from the Governor, announcing that he had, on this day, approved and signed an enrolled bill, which originated in this House, entitled,

An act authorizing a special term of the Woodford Circuit Court.

Mr. Webster read and laid on the table the following resolution, to-wit:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a joint committee of two on the part of the Senate, and five on the part

of the House of Representatives, be appointed to visit and examine into the condition of the Institution for the Education of the Blind in the city of Louisville, and report thereon.

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with, the said resolution was twice read, and adopted.

Mr. Shepperd moved the following resolution, to-wit:

*Resolved*, That the Committee on County Courts be requested to bring in a bill authorizing and regulating appeals from judgments and decisions of County Judges to the County Court in sums under five pounds.

Which was adopted.

Mr. Marshall moved the following resolution, to-wit:

*Resolved*, That so much of the Governor's message as relates to the Sinking Fund be referred to the committee on the Sinking Fund.

That so much thereof as refers to the subject of the State debt, and so much thereof as refers to the negotiation of a loan, be referred to the committee on Ways and Means.

That so much thereof as relates to the subject of Common Schools, be referred to the committee on Education.

That so much thereof as relates to the subject of the Institution for the Education of the Blind, be referred to the committee on Education.

That so much thereof as relates to the subject of Internal Improvement, be referred to the committee on Internal Improvement.

That so much thereof as relates to the subject of the Penitentiary, be referred to the committee on the Penitentiary.

That so much thereof as relates to the fugitive slave law, the question of slavery, and the Union generally, to be referred to the committee on Federal Relations.

Which was adopted.

And then the House adjourned.

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FRIDAY, NOVEMBER 7, 1851.

The Speaker laid before the House the Annual Report of the Keeper of the Penitentiary, which is as follows, viz:

OFFICE KENTUCKY PENITENTIARY,  
FRANKFORT, NOV. 7, 1851. }

HON. GEORGE ROBERTSON,

*Speaker of the House of Representatives:*

SIR: You will please lay before the House of Representatives the enclosed Annual Report.

Very respectfully,

Your obedient servant,

N. CRAIG,

*Agent and Keeper Ky. Penitentiary.*

[For Report—see *Legislative Documents.*]

The Speaker laid before the House a communication from the Superintendent of Public Instruction, which is as follows, viz:

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION,  
LEXINGTON, November 6, 1851. }

GEORGE ROBERTSON, ESQ.,

*Speaker of the House of Representatives:*

SIR: The Common School Commissioners are not required by law to report to the Superintendent of Public Instruction before the first week of December; and they are allowed some time longer to make additional reports in place of any that may fail to come to hand. It is in connection with these arrangements that the Superintendent is required by law to make a report to the Legislature within the first ten days of its session—that session being contemplated as commencing at the end of December. I have therefore the honor to state that all that portion of my report to the Legislature, which is founded on the reports of the County Commissioners to me, cannot be made earlier than the end of December; but all the other portions of it can be prepared and submitted to the General Assembly at a much earlier period, if it is thought to be desirable that it should be done.

That I may not appear to omit any part of my duty, I venture to request that the contents of this communication may be made known to the House of Representatives.

Very respectfully,

RO. J. BRECKINRIDGE,

*Supt Public Instruction.*

*Ordered,* That said communication be referred to the committee on Education; and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

1. Mr. Willingham presented the petition of sundry citizens of Graves county, praying an amendment of the law regulating the time of holding Circuit Courts in said county.

2. Mr. Trimble presented the petition of the Jailer and sundry citizens of McCracken county, praying that said Jailer may be permitted to reside out of the limits required by law.

3. Mr. Dodds presented the petition of J. M. Wells, Jr., guardian of W. M. Wells, praying that his ward may receive and manage his own estate.



4. Mr. Hurt presented the petition of the Justices of the Peace of Pike county, praying that a fee be allowed the County Attorney for breaches of the peace, &c.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Willingham, Bates, and N. Green; the 2d to Messrs. Trimble, Burnett, and Willingham; the 3d to the committee on the Judiciary; and the 4th to the committee on Claims.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By Mr. Helm—1. A bill to provide for the better regulation and support of the public schools in the city of Newport.

By Mr. Alfred—2. A bill to establish the town of Duncansville.

By Mr. Sterett—3. A bill to amend the jury law.

By Mr. Burnam—4. A bill to extend the provisions of an act, entitled, an act regulating the price of taking up boats on the Ohio river, approved January 29, 1829, to all the navigable streams in this State.

By Mr. McHenry—5. A bill for the benefit of the town of Hartford.

By Mr. Sallee—6. A bill to authorize the Constable in District No. 6, in Pulaski county, to appoint a Deputy.

By Mr. Calvert—7. A bill vesting the County Court of Owen with power to change the location of a part of the State road leading from Covington to Louisville.

By Mr. S. M. Moore—8. A bill to authorize a conventional rate of interest of ten per cent. per annum.

By the committee on the Judiciary—9. A bill incorporating the Kentucky State Medical Society.

By same—10. A bill to incorporate Boyle Lodge, No. 56, I. O. O. F., at Perryville.

By Mr. Oglesby—11. A bill to incorporate the Trustees of the Centre Point Meeting House, in Monroe county.

By Mr. S. M. Moore—12. A bill to amend the charter of the Kentucky Trust Company Bank.

By Mr. Shepperd—13. A bill authorizing the Wayne County Court to appoint a Constable in District No. 6.

By Mr. Walton—14. A bill to legalize the rates of certain officers.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st and 9th were referred to the committee on Education; the 2d, 3d, 5th, 8th, and 14th, to the committee on the Judiciary; the 4th, 7th, 10th, and 11th, were severally ordered to be engrossed and read a third time; the 6th and 13th to the committee on County Courts; and the 12th to the committee on Banks.

The rule of the House, constitutional provision, and second and third readings of the 4th, 7th, 10th, and 11th bills having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the Public Printer forthwith print 150 copies of the 8th bill for the use of the members of the General Assembly.

Leave was given to bring in the following bills, viz :

On motion of Mr. Baker—1. A bill to reduce the toll on the Muldrows Hill Turnpike Road.

On motion of Mr. Barlow—2. A bill to incorporate Forrest Spring College, in Allen county.

On motion of Mr. Anderson—3. A bill to suppress the practice of carrying concealed weapons.

On motion of Mr. J. H. Thomas—4. A bill to prevent the issuing of copies of emancipation papers by Clerks of Courts, and requiring those issued to be returned.

On motion of Mr. Helm—5. A bill to incorporate a Female College in Campbell county.

On motion of same—6. A bill to incorporate the Newport and Cincinnati Bridge Company.

On motion of same—7. A bill to incorporate the Newport and Covington Bridge Company.

On motion of Mr. Cox—8. A bill regulating the duties and fees of Jailers.

On motion of Mr. Ford—9. A bill to authorize the County Court of Crittenden to change the State road to Flynn's Ferry, on the Ohio river.

On motion of Mr. Jackson—10. A bill to amend the road law in Estill county.

On motion of Mr. Fitch—11. A bill authorizing the closing of certain roads in Fleming county.

On motion of Mr. Willingham—12. A bill to branch the Court of Appeals.

On motion of same—13. A bill to amend the Common School law.

On motion of Mr. Grier—14. A bill to amend the election precincts of Greenup county.

On motion of Mr. N. Green—15. A bill to regulate the fees of Justices of the Peace.

On motion of Mr. Hurt—16. A bill to change the time of holding annual musters.

On motion of Mr. S. M. Moore—17. A bill to amend the laws regulating ferries across the Ohio river.

On motion of Mr. Tye—18. A bill to incorporate a Company to construct a Railroad from the city of Lexington to the Tennessee line, in the direction to Chattanooga.

On motion of same—19. A bill to change the place of voting from the house of John Mason, in Knox county, to the school house at the cold spring in said county.

On motion of Mr. Nevitt—20. A bill to abolish the original jurisdiction of County Court Judges on all sums of five pounds and under.

On motion of Mr. W. F. Moore—21. A bill to amend the act, entitled, an act to incorporate the Lexington, Owingsville, and Big Sandy Railroad Company.

On motion of same—22. A bill for the benefit of J. W. Hawes, Sheriff of Lawrence county.

On motion of Mr. Bryan—23. A bill to allow an additional election precinct in each ward in the city of Louisville.

On motion of Mr. Burnam—24. A bill changing the time of holding the terms of the Owsley Circuit Court, and for other purposes.

On motion of Mr. Nash—25. A bill to regulate the fees of the Judges of the County Courts.

On motion of Mr. Johnson—26. A bill to incorporate Mason Lodge, No. 33, I. O. O. F., in the town of Maysville.

On motion of Mr. Trimble—27. A bill to change the manner of selecting grand jurors.

On motion of same—28. A bill to authorize the town of Paducah to subscribe two hundred thousand dollars stock in certain railroads.

On motion of Mr. Mitchell—29. A bill to amend the act incorporating the Maysville and Mountsterling Turnpike Road Company.

On motion of Mr. McHenry—30. A bill incorporating the Rough Creek Navigation and Manufacturing Company.

On motion of same—31. A bill authorizing the County Court of Ohio to establish a new election precinct in said county.

On motion of Mr. Davis—32. A bill for the better regulation of the election precincts in Spencer county.

On motion of Mr. Alfred—33. A bill for the benefit of the heirs of Stephen Sicard, deceased.

On motion of Mr. Marshall—34. A bill to incorporate the Versailles Fire, Life, and Marine Insurance Company.

*Ordered*, That Messrs. Baker, Winfrey, and Webster, prepare and bring in the 1st; the committee on Education, the 2d and 13th; the committee on the Judiciary, the 3d, 21st, 22d, 26th, and 34th; Messrs. J. H.

Thomas, Mitchell, and Wintersmith, the 4th; Messrs. Helm, Boyd, and Canby, the 5th; Messrs. Helm, S. M. Moore, and G. Green, the 6th and 7th; Messrs. Cox, Bates, and McMillan, the 8th; Messrs. Ford, Fitch, and Trimble, the 9th; the committee on Propositions and Grievances, the 10th; Messrs. Fitch, R. G. Lewis, and Burnam, the 11th; the committee on the Court of Appeals, the 12th; Messrs. Grier, Sallee, and Wintersmith, the 14th; the committee on County Courts, the 15th, 20th, and 25th; the committee on Military Affairs, the 16th; Messrs. S. M. Moore, Carlisle, and Winfrey, the 17th; the committee on Internal Improvement, the 18th and 30th; Messrs. Tye, Sallee, and Haley, the 19th; Messrs. Bryan, Bullitt, and Craig, the 23d; Messrs. Burnam, Stivers, and Tye, the 24th; Messrs. Trimble, Bates, and Wintersmith, the 27th; Messrs. Trimble, Triplett, and Burnett, the 28th; Messrs. Mitchell, Fitch, and Johnson, the 29th; Messrs. McHenry, McNary, and Sterett, the 31st; the committee on Privileges and Elections, the 32d; and Messrs. Alfred, Anderson, and Stone, the 33d.

Mr. N. Green moved the following resolution, viz:

*Resolved*, That the committee on the Judiciary be instructed to report a bill defining what officers, both civil and military, shall be commissioned by the Governor.

Which was adopted.

A message was received from the Senate, announcing that they had adopted a resolution in relation to the death of Col. E. H. Field.

Mr. Marshall read and laid on the table the following resolution, to-wit:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the election of a Senator to the Congress of the United States to fill the vacancy which will occur by the expiration of the term of one of the Senators from Kentucky on the 4th of March, 1853, be held on Monday, the 17th of the present month.

Mr. Marshall moved to dispense with the rule requiring joint resolutions to lie one day on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Bates and N. Green, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	David Griggs,	George R. McKee,
Granville C. Alfred,	John J. Haley,	William C. McNary,
William C. Anderson,	Thomas R. Harman,	Strother D. Mitchell,
William Bailey,	Thomas Hagins,	Andrew Monroe,
Solomon Baker,	John B. Holladay,	Barnett C. Moran,
Cleaton Bane,	Benjamin F. Hume,	William F. Moore,
Charles M. Briggs,	James H. Hundley,	Birch Musselman,



A. H. Bryan,	William G. Jackson,	William T. Samuels,
Joshua F. Bullitt,	John G. James,	Elijah G. Seabee,
Curtis F. Burnam,	Henry S. Johnson,	Isaac N. Shepperd,
James L. Caldwell,	Alfred M. Jones,	Daniel B. Stivers,
Willis S. Chaplin,	John A. Keith,	Napoleon B. Stone,
Edwin S. Craig,	Benjamin H. Kerrick,	Joshua H. Thomas,
Ellis Duncan,	John J. Landrum,	Francis Troutman,
Christian Engleman,	Joseph H. Lewis,	Drury Tye,
Elisha S. Fitch,	Robert G. Lewis,	John S. Williams,
Francis Ford,	Opie J. Lindsay,	James C. Wilmore,
Thomas R. Givens,	Thomas F. Marshall,	Francis H. Winfrey,
Jacob S. Golladay,	Henry D. McHenry,	Chas. G. Wintersmith—58.
William C. Grier,		

Those who voted in the negative, were

Joseph H. Barlow,	John F. Gaar,	Thomas J. Nash,
James P. Bates,	Grant Green,	Joseph A. Nevitt,
John S. Boyd,	Norvin Green,	Micajah Oglesby,
Isaac Burnett,	Charles J. Helm,	John J. Park,
John Calvert,	Alvin Herndon,	Joel W. Sallee,
Charles G. C. Canby,	Alvin M. Hume,	James C. Sprigg,
Robert M. Carlisle,	Garland Hurt,	Green Sterett,
A. D. Cosby,	John B. Laffoon,	Lawrence S. Trimble,
Hezekiah Cox,	Charles Lee,	Thornton Triplett,
Jonathan Davis,	William McMillan,	Claiborne J. Walton,
Francis U. Dodds,	Elijah S. Mitchusson,	William C. Webster,
James Edelin,	Robert O. Morgan,	Alex. H. Willingham—38.
David Elms,	Samuel M. Moore,	

The Speaker decided that it required a majority of two-thirds to dispense with the rule.

From which decision of the Chair Mr. Marshall took an appeal.

And then the House adjourned.

SATURDAY, NOVEMBER 8, 1851.

On motion of Mr. Monroe,

*Ordered*, That the Public Printer forthwith print 150 copies of the Annual Report of the Keeper of the Penitentiary for the use of the members of the General Assembly.

Mr. Hurt presented the petition of sundry citizens of Johnson county, praying a repeal of the act prohibiting the sale of spirituous liquors in

Paintsville; which was received, the reading dispensed with, and referred to the committee on the Judiciary.

A message was received from the Senate, announcing their concurrence in resolutions from this House, of the following titles, viz :

A resolution appointing a joint committee to visit the Institution for the Education of the Blind at Louisville.

A resolution appointing a joint committee to visit the Lunatic Asylum at Lexington.

A resolution appointing a joint committee to visit the Deaf and Dumb Asylum at Danville.

That they had passed bills of the following titles, viz :

An act to incorporate the Phoenix Insurance Company, at Lexington.

An act to change the time of holding the quarterly courts of the Presiding Judge in Russell county.

An act to authorize Constables in the city of Covington to appoint Deputies.

The bill from the Senate, entitled, an act to incorporate the Phoenix Insurance Company at Lexington, was read the first time, and ordered to be read the second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on the Judiciary—1. A bill to incorporate the Versailles Fire, Life, and Marine Insurance Company.

By Mr. Willingham—2. A bill to authorize a change in the State road leading from the Tennessee river to Columbus.

By Mr. Bates—3. A bill to increase the jurisdiction of Justices of the Peace.

By Mr. Helm—4. A bill embodying into one the several acts, and amending the road law of Campbell county.

By Mr. Samuels—5. A bill for the benefit of Samuel Haycraft.

By Mr. Burnam—6. A bill fixing the time of holding the Owsley and Harlan Circuit Courts.

By Mr. R. G. Lewis—7. A bill for the benefit of John Elliott, and Mary Ann Elliott, his wife, of Fleming county.

By Mr. McHenry—8. A bill authorizing the Ohio County Court to establish a new election precinct, and change the boundaries of others in said county.

By Mr. Trimble—9. A bill for the benefit of George Dunn, Jailer of McCracken county.

By Mr. Alfred—10. A bill for the benefit of Elizabeth Sicard.

By Mr. Mitchell—11. A bill to amend the act incorporating the Maysville and Mountsterling Turnpike Road Company.

By Mr. Webster—12. A bill to amend an act, entitled, an act further to provide for the collection of tolls on Green and Big Barren rivers.

By Mr. S. M. Moore—13. A bill to amend an act to regulate ferries across the Ohio river.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 4th, 5th, 7th, 9th, 10th, and 11th, were severally ordered to be engrossed and read a third time; the 3d, 8th, and 13th, were referred to the committee on the Judiciary; the 6th to the committee on Circuit Courts; and the 12th to the committee on Internal Improvement.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 4th, 5th, 7th, 9th, 10th, and 11th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The House again resumed the consideration of the appeal taken by Mr. Marshall, on yesterday, from the decision of the Chair.

The question was then taken—"shall the decision of the Chair stand as the judgment of this House?" and it was decided in the affirmative.

The yeas and nays being taken thereon, were as follows, viz:

Those who voted in the affirmative, were

Granville C. Alfred,	David Griggs,	Andrew Monroe,
William C. Anderson,	Grant Green,	Barnett C. Moran,
William Bailey,	Norvin Green,	Robert O. Morgan,
Solomon Baker,	John J. Haley,	Samuel M. Moore,
Cleaton Bane,	Thomas R. Harman,	Birch Musselman,
Joseph H. Barlow,	Charles J. Helm,	Thomas J. Nash,
James P. Bates,	Alvin Herndon,	Joseph A. Nevitt,
John S. Boyd,	Thomas Hagins,	Micajah Oglesby,
Joshua F. Bullitt,	John B. Holladay,	John J. Park,
Curtis F. Burnam,	Alvin M. Hume,	Joel W. Sallee,
Isaac Burnett,	Benjamin F. Hume,	Elijah G. Sebre,
James L. Caldwell,	James H. Hundley,	Isaac N. Shepperd,
John Calvert,	Garland Hurt,	James C. Sprigg,
Charles G. C. Canby,	William G. Jackson,	Green Sterett,
Robert M. Carlisle,	John G. James,	Daniel B. Stivers,
Willis S. Chaplin,	Henry S. Johnson,	Napoleon B. Stone,

A. D. Cosby,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
Ellis Duncan,  
James Edelin,  
David Elms,  
Christian Engleman,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
William C. Grier,

Alfred M. Jones,  
Benjamin H. Kerrck,  
John B. Laffoon,  
John J. Landrum,  
Charles Lee,  
Robert G. Lewis,  
Opie J. Lindsay,  
George R. McKee,  
William McMillan,  
William C. McNary,  
Strother D. Mitchell,  
Elijah S. Mitchusson,

John J. Thomas,  
Joshua H. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Francis Troutman,  
Drury Tye,  
Claiborne J. Walton,  
William C. Webster,  
John S. Williams,  
Alex. H. Willingham,  
James C. Wilmore,  
Francis H. Winfrey—84.

Those who voted in the negative, were

Charles M. Briggs,  
Edwin S. Craig,  
John A. Keith.

Joseph H. Lewis,  
Thomas F. Marshall,  
Henry D. McHenry,

William F. Moore,  
William T. Samuels,  
Chas. G. Wintersmith—9.

On motion of Mr. Marshall,

*Ordered*, That said resolution be referred to a committee of the whole, and made a special order of the day for Tuesday next.

The House then took up for consideration the resolutions from the Senate in relation to the death of Col. Ezekiel H. Field, which being twice read, were *unanimously* adopted.

And then the House adjourned.

#### MONDAY, NOVEMBER 10, 1851.

Mr. Samnel Hatfield, the member returned to serve in this House from the county of Simpson; and Mr. William O. Thomson, the member returned to serve in this House from the county of Bracken, appeared, and having produced certificates of their election, and taken the oath prescribed by the Constitution, took their seats.

The Speaker appointed Messrs. Willingham, J. H. Thomas, Seabee, Triplett, Nash, Carlisle, Mitchell, Monroe, Winfrey, and Stivers, the committee in accordance with the resolution moved on Wednesday last by Mr. Willingham, in relation to the Congressional districts.



1. Mr. Burnett presented the petition of sundry citizens of Trigg county, praying an alteration in the civil districts in said county.

2. Mr. Anderson presented the petition of the County Judge and Justices of the Peace of Boyle county, praying that they may be permitted to sell a portion of the lot on which the Court House and Jail are situated.

3. Mr. Wintersmith presented the petition of sundry citizens of Hardin, Breckinridge, and Meade counties, praying the formation of a new county of parts of said counties.

4. Mr. Mitchell presented the petition of sundry citizens of Montgomery, Clarke, and Estill counties, praying the formation of a new county out of parts of said counties.

5. Mr. Lindsay presented the petition of sundry citizens of Grant county, praying that the Grant County Court may make an alteration in the State road in the vicinity of Crittenden, in said county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Privileges and Elections; the 2d to the committee on the Judiciary; the 3d and 4th to the committee on Propositions and Grievances; and the 5th to Messrs. Lindsay, S. M. Moore, Carlisle, and Landrum.

Mr. Burnam, from the committee on Education, to whom were referred bills of the following titles, viz:

A bill to provide for the better regulation and support of the public schools in the city of Newport.

A bill incorporating the Kentucky State Medical Society.

Reported the same without amendment.

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wintersmith, from the committee on Revised Statutes, made the following report, viz:

The committee on Revised Statutes report, that they have examined the report of the Commissioners to the last General Assembly, and find that the said report and action of the last General Assembly comprehends the following chapters and titles:

		Session Acts 1850-1.	
CHAPTER I.	Husband and Wife, - - - - -	-	page 212
ARTICLE 1.	Marriage, - - - - -	-	212
2.	Marital rights, - - - - -	-	216
3.	Divorce and Alimony, - - - - -	-	217
4.	Curtesy and Dower, - - - - -	-	220

CHAPTER II.	Guardian and Ward, - - - - -	223
ARTICLE 1.	Appointment of Guardian and Curator, - - -	223
	2. Power and duty of Guardian, - - -	224
III.	Wills, - - - - -	227
IV.	Office and Officer, - - - - -	233
V.	Construction of Statutes, - - - - -	235
VI.	Conveyances, - - - - -	238
VII.	Real Estate, - - - - -	243
VIII.	Executors, - - - - -	247
IX.	Administrators, - - - - -	251
X.	Citizens, Expatriation, Aliens, - - -	257
XI.	Contribution, - - - - -	258
XII.	Attorneys, - - - - -	260
ARTICLE 1.	Attorneys at Law, - - - - -	260
	2. County Court Attorneys, - - - - -	261
	3. Attorney for the Commonwealth, - - -	261
	4. Attorney General, - - - - -	262
XIII.	Laws, - - - - -	263
XIV.	Revenue and Taxation, - - - - -	266
ARTICLE 1.	Rate of Taxation, - - - - -	266
	2. Specific Taxation, - - - - -	267
	3. Penalty on Peddlers, - - - - -	270
	4. Revenue of Sinking Fund, - - - - -	271
	5. Form of Tax Book, - - - - -	273
	6. Assessor, and his duties, - - - - -	275
	7. Board of Supervisors of Tax, - - - - -	279
	8. Duties of Courts as to Revenue, - - -	280
	9. Collection of Revenue, - - - - -	283
	10. Payment of Revenue by Corporations, -	286
	11. Tax on non-residents' Lands, - - -	287
	12. Proceedings against Sheriffs, &c., - -	288
XV.	Slaves, Runaways, Free Negroes, and Emancipation, -	291
ARTICLE 1.	Who shall be deemed Slaves, - - - - -	291
	2. Importation of Slaves, - - - - -	293
	3. Dealing with Slaves, and suffering them to go at large, - - - - -	294
	4. Insane, aged, and infirm Slaves, and abuse of Slaves, - - - - -	296
	5. Abduction of, and exciting Slaves to rebellion, -	297
	6. Runaway Slaves, - - - - -	299
	7. Felonies committed by Slaves and Free Ne- groes, - - - - -	300
	8. Misdemeanors by Free Negroes, - - -	304
	9. Emancipation of Slaves, - - - - -	305
	10. Slaves emancipated subject to the payment of debts, - - - - -	307
	11. Free Negroes immigrating to this State, -	308
XVI.	Patrols, - - - - -	309
XVII.	Fugitives from Justice, - - - - -	311
XVIII.	Habeas Corpus, - - - - -	313
XIX.	Landlord and Tenant, - - - - -	316
XX.	Sheriffs, 322; Jailers, 326; Coroners, - - -	328
XXI.	Witnesses, - - - - -	330
XXII.	Bastardy, - - - - -	332
XXIII.	Master and Apprentice and Servant, - - -	333

## CHAPTER

XXIV.	Evidence,	-	-	-	-	-	-	-	-	335
XXV.	Descent and Distribution,	-	-	-	-	-	-	-	-	339
XXVI.	Fraudulent Conveyances and Devises,	-	-	-	-	-	-	-	-	342
XXVII.	Sureties and Co-obligors,	-	-	-	-	-	-	-	-	344
XXVIII.	Contracts,	-	-	-	-	-	-	-	-	347
XXIX.	Interest and Usury,	-	-	-	-	-	-	-	-	349
XXX.	Currency,	-	-	-	-	-	-	-	-	350
XXXI.	Boats and Navigation,	-	-	-	-	-	-	-	-	351
XXXII.	Gaming,	-	-	-	-	-	-	-	-	357

*Ordered*, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

A message was received from the Governor, by Mr. METCALFE, Assistant Secretary of State.

[*For Message—see Legislative Documents, page 13.*]

*Ordered*, That said message be referred to the committee on the Sinking Fund; and that the Public Printer forthwith print 150 copies of said message for the use of the members of the General Assembly.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to incorporate Boyle Lodge, No. 56, I. O. O. F., at Perryville.

An act to incorporate the Trustees of Centre Point Meeting House, in Monroe county.

That they had passed a bill, entitled,

An act for the benefit of the Sheriff of Ohio county.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Helm—1. A bill incorporating the Newport and Cincinnati Bridge Company.

By Mr. J. H. Lewis—2. A bill to provide for surveying and re-marking the dividing line between Barren and Edmonson counties.

By Mr. Cox—3. A bill to regulate the duties of Jailers relative to run-away slaves.

By Mr. Tye—4. A bill to change the place of voting in District No. 6, in Knox county.

By Mr. J. H. Thomas—5. A bill to amend the act, entitled, an act concerning free negroes and mulattoes.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 3d, and 5th, were referred to the committee on the Judiciary; and the 2d and 4th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 2d and 4th bills having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Monroe moved the following resolution, viz :

*Resolved*, That the committee on the Judiciary inquire whether any legislation is necessary to protect county and state roads against obstructions by railroad companies.

Which was adopted.

Mr. Monroe moved the following resolution, viz :

*Resolved*, That the committee on Internal Improvement be instructed to inquire into the propriety and expediency of providing for the improvement of the Kentucky river navigation to the Three Forks, by locks and dams.

Which was adopted.

Leave was given to bring in the following bills, viz :

On motion of Mr. Anderson—1. A bill to repeal an act, entitled, an act regulating allowances to Masters, Auditors, and Commissioners in Chancery, approved March 25, 1851.

On motion of Mr. Elms—2. A bill for the benefit of the Sheriff of Edmonson county.

On motion of same—3. A bill for the benefit of James E. Gardiner.

On motion of Mr. Mitchusson—4. A bill to change the place of voting in District No. 4, in Caldwell county.

On motion of Mr. Helm—5. A bill authorizing Sheriffs, Master Commissioners in Chancery, and special Commissioners, to advertise real estate, under execution or decree, in some newspaper in their respective counties.

On motion of same—6. A bill for the benefit of School Districts in Campbell county.

On motion of same—7. A bill to amend the charter of Odd Fellows Hall, of Newport, Kentucky.

On motion of Mr. Cox—8. A bill to regulate the fees of Clerks of Circuit and County Courts, Sheriffs, Justices of the Peace, Constables, and Jailers.

On motion of Mr. Stone—9. A bill for the benefit of Joel Sweeney, late Clerk of the Casey Circuit and County Courts.

On motion of Mr. Williams—10. A bill licensing Jenny Lind tables.

On motion of Mr. Monroe—11. A bill to provide for the construction of an iron railing fence around the capitol square.

On motion of Mr. Edelin—12. A bill to increase the resources of the School Fund.



On motion of Mr. G. Green—13. A bill for the relief of the late Sheriff of Henderson county.

On motion of Hurt—14. A bill for the benefit of John Friend and Jacob Fitzpatrick, former Sheriff and Deputy Sheriff of Floyd county.

On motion of Mr. W. F. Moore—15. A bill to repeal the act, entitled, an act repealing all laws authorizing allowances to Clerks and Sheriffs for *ex officio* services, approved March 24, 1851.

On motion of Mr. Hundley—16. A bill for the benefit of the late Sheriff of Letcher county.

On motion of Mr. Craig—17. A bill to amend an act, entitled, an act repealing all laws allowing licenses to Billiard Tables, and for other purposes.

On motion of Mr. Trimble—18. A bill to authorize the County Court of McCracken to subscribe one hundred thousand dollars stock in certain railroads.

On motion of Mr. Griggs—19. A bill to change the place of voting in District No. 2, in Meade county.

On motion of Mr. Oglesby—20. A bill for the benefit of the Mechanics of Tompkinsville, in Monroe county.

On motion of Mr. Hagins—21. A bill to repeal a part of the eighth section of an act, entitled, an act to organize County Courts in the several counties.

On motion of Mr. B. F. Hume—22. A bill to repeal an act in relation to the road law in Pendleton county.

On motion of same—23. A bill to change the time of holding the quarterly court in Pendleton county.

On motion of Mr. Caldwell—24. A bill to amend and reduce into one the several acts relating to the town of Harrisonville, in Shelby county.

On motion of Mr. Webster—25. A bill more effectually to preserve the records of Justices of the Peace.

On motion of Mr. Alfred—26. A bill for the benefit of Common School Districts, Nos. 27, 55, and 56, in the county of Washington.

On motion of same—27. A bill incorporating the Shields House Banking Company.

On motion of Mr. Harman—28. A bill for the benefit of the Trustees of the town of Williamsburg, in Whitley county.

*Ordered*, That the committee on the Judiciary prepare and bring in the 1st, 5th, and 15th; Messrs. Elms, Bates, and Bane, the 2d; Messrs. Elms, McHenry, and Bates, the 3d; Messrs. Mitchusson, Bates, and Nevitt, the 4th; Messrs. Helm, Canby, and G. Green, the 6th and 7th; Messrs. Cox, Willingham, and N. Green, the 8th; Messrs. Stone, Jones, and Anderson, the 9th; the committee on Ways and Means, the 10th;

Messrs. Monroe, McHenry, J. H. Lewis, and G. Green, the 11th; Messrs. Edelin, Bates, and Davis, the 12th; Messrs. G. Green, Givens, and Helm, the 13th; the committee on Claims, the 14th; Messrs. Hundley, Sallee, and Stivers, the 16th; the committee on the Sinking Fund, the 17th; Messrs. Trimble, Willingham, and Morgan, the 18th; Messrs. Griggs, Kerrick, and J. H. Thomas, the 19th; Messrs. Oglesby, Sterrett, and Dodds, the 20th; the committee on County Courts, the 21st and 25th; Messrs. B. F. Hume, Triplett, and Boyd, the 22d and 23d; Messrs. Caldwell, Sprigg, and Burnett, the 24th; the committee on Education, the 26th; Messrs. Alfred, Stone, Jones, Shepperd, and Anderson, the 27th; and Messrs. Harman, Tye, and Stivers, the 28th.

Mr. Burnam moved the following resolution, viz:

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of repealing all laws granting license to merchants to retail spirituous liquors, and that they report by bill or otherwise.

Which was adopted.

On motion of Mr. Burnett,

*Ordered*, That Mr. Marshall be added to the committee on Ways and Means.

Bills from the Senate, of the following titles, viz:

1. An act to change the time of holding the quarterly courts of the Presiding Judge in Russell county.

2. An act to authorize Constables in the city of Covington to appoint deputies.

3. An act for the benefit of the Sheriff of Ohio county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was ordered to be read a third time; the 2d was referred to the committee on the Judiciary; and the 3d to the committee on Ways and Means.

The rule of the House, constitutional provision, and third reading of the 1st bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

TUESDAY, NOVEMBER 11, 1851.

The Speaker appointed Messrs. N. Green, Bullitt, J. H. Thomas, Anderson, and W. F. Moore, the committee on the part of this House to visit the Deaf and Dumb Asylum at Danville.

The Speaker appointed Messrs. Oglesby, Kerrick, Jones, Bryan, and McNary, the committee on the part of this House to visit the Lunatic Asylum at Lexington.

The Speaker appointed Messrs. Webster, Sterett, Wilmore, Musselman, and Tye, the committee on the part of this House to visit the Institution for the Education of the Blind at Louisville.

1. Mr. Wintersmith presented the petition of Ann Ferguson, and others, heirs of James Burnes, deceased, praying that they may be permitted to inherit the estate of said Burnes, they being foreigners.

2. Mr. Hurt presented the petition of sundry citizens of Johnson county, praying that Jenney's creek, in said county, may be declared a navigable stream.

3. Also, the petition of sundry citizens of Johnson county, in relation to the waste lands on Big Sandy river.

4. Mr. Cosby presented the petition of Timothy Burgess, praying compensation for boarding certain prisoners and guards in Daviess county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary; the 2d and 3d to Messrs. Hurt, Lee, and Davis; and the 4th to the committee on Claims.

Mr. McKee, from the committee on the Judiciary, to whom was referred the petition of J. M. Wells, Jr., reported the same with the following resolution, viz:

*Resolved*, That said petition be rejected.

Which was concurred in.

Mr. Boyd, from the same committee, to whom was referred a bill authorizing the Ohio County Court to establish a new election precinct, and change the boundaries of others in said county, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.



Mr. S. M. Moore, from the same committee, to whom was referred a bill for the benefit of George Hodges, of Logan county, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; so the said bill was rejected.

Mr. S. M. Moore, from the same committee, to whom was referred a bill to amend an act to regulate ferries across the Ohio river, reported the same without amendment.

*Ordered*, That said bill be referred to a committee of the whole, and made the special order of the day for Friday, the 14th instant; and that the Public Printer print 150 copies thereof for the use of the General Assembly.

Mr. Sprigg, from the committee on Circuit Courts, to whom was referred a bill fixing the time of holding the Owsley and Harlan Circuit Courts, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Wintersmith,

*Ordered*, That Messrs. Helm and Craig be added to the committee on Revised Statutes.

A message was received from the Governor, by Mr. MERIWETHER, Secretary of State.

Said message was taken up, and read as follows, viz:

EXECUTIVE DEPARTMENT,

November 11th, 1851. }

*Gentlemen of the Senate*

*and House of Representatives:*

Under the provisions of a resolution of the General Assembly, approved January 24th, 1850, Governor Crittenden contracted with M. Pruden, of Lexington, for the preparation of a suitable block of native marble, to be conveyed to Washington city, to take a place in the monument which is being erected to the memory of WASHINGTON. No price for the work was agreed upon between Governor Crittenden and Mr. Pruden. The block has been faithfully and beautifully executed, and is now ready for transportation. Before this can be done, however, it will be necessary for an appropriation to be made to Mr. Pruden for his services, including the cost of transportation; and I trust that you will make him a fair and liberal compensation, at as early a day as practicable, in order that the block may be speedily forwarded to its destination. I have received and herewith transmit to you letters from Edgar Needham, Wm. T. Bolles, J. S. Wilson, and G. W. Evans, in relation to



the character of the work. The block was examined by Messrs. Needham and Bolles at my request. Messrs. Wilson and Evans examined it at the instance of Mr. Pruden. The account rendered by Mr. Pruden is likewise transmitted.

L. W. POWELL.

*Ordered*, That said message be referred to the committee on Claims.

Mr. Sebree, from the committee on Enrollments, reported that the committee had examined an enrolled bill and a resolution which originated in the Senate, of the following titles, viz :

An act to incorporate the Phoenix Insurance Company, at Lexington.

And a resolution in relation to the death of Col. E. H. Field.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Sebree inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on the Judiciary—1. A bill to amend an act, entitled, an act to incorporate the Lexington and Big Sandy Railroad Company.

By same—2. A bill requiring the Master Commissioners in Chancery to execute a bond for the performance of the duties of his office.

By the committee on Internal Improvement—3. A bill to incorporate the Rough Creek Navigation and Manufacturing Company.

By Mr. Harman—4. A bill to empower the trustees of Williamsburg to sell a portion of a street in said town.

By Mr. Helm—5. A bill to incorporate Campbell Female College, in Campbell county.

By same—6. A bill to amend an act, entitled, an act to incorporate Odd Fellows Hall, of Newport, Kentucky, approved February 25, 1848.

By Mr. Monroe—7. A bill to provide for the construction of an iron railing fence around the capitol square.

By Mr. Stone—8. A bill for the benefit of the late Clerks of the Circuit and County Courts.

By Mr. Grier—9. A bill making additional voting places in Districts Nos. 3 and 7, and changing the place of voting in District No. 4, in Greenup county.

By Mr. Fitch—10. A bill for closing up certain old roads in Fleming county.

By Mr. Burnam—11. A bill authorizing the Constable in District No. 6, in Madison county, to appoint a deputy.

By Mr. G. Green—12. A bill for the benefit of the late Sheriffs of the several counties in this State.

Which bills were severally read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 5th was referred to the committee on Education; the 7th to the committee on Public Offices; the 11th to the committee on the Judiciary; and the 1st, 2d, 3d, 4th, 6th, 8th, 9th, 10th, and 12th, were ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 6th, 8th, 9th, 10th, and 12th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz :

An act for the benefit of Samuel Haycraft.

An act for the benefit of John Elliott, and Mary Ann Elliott, his wife, of Fleming county.

An act for the benefit of George Dunn, Jailer of McCracken county.

The House then resolved itself into a committee of the whole, on the resolution proposed by Mr. Marshall, on Friday last, in relation to the election of a Senator in Congress, Mr. Mitchell in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Mitchell reported that the committee had, according to order, had under consideration the resolution aforesaid, and not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

#### WEDNESDAY, NOVEMBER 12, 1851.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz :

An act for the benefit of the infant children of John Braxdall, jr., deceased.

An act to provide for changing the place of voting in the 5th district, and for the creation of an additional civil district and election precinct in Christian county.

An act for the benefit of the stockholders in the Carrolton and Eagle Creek Turnpike Road Company.

An act to extend the provisions of an act, entitled, an act regulating the price of taking up boats on the Ohio river, approved January 29, 1829, to all the navigable streams of this State.

An act vesting the County Court of Owen with power to change the location of a part of the State road leading from Covington to Louisville.

That they had passed bills of the following titles, viz :

An act to prescribe the term of office for the inferior officers of this Commonwealth.

An act to incorporate Friendship Lodge, No. 5, I. O. O. F., at Lexington, Kentucky.

An act to amend and reduce into one the several acts concerning private passways in Mercer county.

An act to regulate the time of holding the Green County Court.

An act to appropriate land warrants in the county of Knox.

An act regulating changes of venue from County Courts.

The Speaker laid before the House the Annual Report of the Deaf and Dumb Asylum at Danville.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 1,000 copies of said report—500 for the use of the members of this House, and 500 for the Superintendent of said Asylum.

A message was received from the Governor, by Mr. MERIWETHER, Secretary of State, which is as follows, viz :

EXECUTIVE DEPARTMENT,  
November 12, 1851. }

Gentlemen of the Senate

and House of Representatives :

In setting forth the State debt in my message of the 4th of November, 1851, the Craddock Fund was stated at \$6,592 81 cents. On the 18th day of June, 1851, Hon. Joseph R. Underwood, Trustee for the Craddock Fund, paid into the Treasury the sum of \$2,000, which was not included in the statement. The said sum of \$2,000 should have been added to the \$6,592 81 cents—making the Craddock Fund \$8,592 81 cents—the State debt is consequently \$2,000 larger than it is stated in the message of the 4th of November, 1851. The aforesaid sum of \$2,000 was casually overlooked by the Auditor and myself in estimating the amount of the public debt.

L. W. POWELL.

Ordered, That said message be referred to the committee on the Sinking Fund.

Mr. Baker presented the petition of sundry citizens of Adair county,



residing in School District No. 58, praying a division of said district; which was received, the reading dispensed with, and referred to the committee on Education.

Mr. McKee, from the committee on the Judiciary, to whom was referred a resolution directing them to inquire into the expediency of repealing all laws granting licenses to merchants to retail spirituous liquors, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said resolution be referred to the committee on Ways and Means.

Mr. Burnam, from the committee on the Judiciary, to whom was referred a bill to amend the act, entitled, an act concerning free negroes and mulattoes, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Williams, from the same committee, to whom was referred a bill to regulate the duties of Jailers, relative to runaway slaves, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Anderson, from the same committee, to whom was referred a bill to establish the town of Duncansville, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boyd, from the same committee, to whom was referred a bill incorporating the Newport and Cincinnati Bridge Company, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.



On motion of Mr. Wintersmith,

*Ordered*, That a committee be appointed on the part of this House to act in conjunction with a committee on the part of the Senate, to wait on the Governor, and ask leave to withdraw from him an enrolled bill, entitled, an act to incorporate the Phœnix Insurance Company.

Whereupon, Messrs. Wintersmith, Marshall, and Caldwell, were appointed the committee on the part of this House.

*Ordered*, That Mr. Wintersmith inform the Senate thereof.

On motion of Mr. Bates,

*Ordered*, That Mr. S. M. Moore be added to the committee on County Courts.

On motion of Mr. Winfrey,

*Ordered*, That Mr. Webster be added to the committee on Propositions and Grievances.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Propositions and Grievances—1. A bill to amend the road law in Estill county.

By the committee on the Judiciary—2. A bill for the benefit of John W. Howe, Sheriff of Lawrence county.

By same—3. A bill to incorporate Mason Lodge, No. 33, I. O. O. F.

By Mr. Mitchusson—4. A bill to change the place of voting in Caldwell county, in District No 4.

By Mr. Hurt—5. A bill declaring Jenney's creek and Greasy creek navigable streams.

By Mr. Ford—6. A bill to authorize the Crittenden County Court to change the State road to Flynn's ferry.

By Mr. Griggs—7. A bill to change the place of voting in the 2d District, in Meade county.

By Mr. Helm—8. A bill authorizing the cities of Newport and Covington to build bridges across Licking river.

By Mr. Elms—9. A bill for the benefit of the Sheriff of Butler county.

By Mr. Willingham—10. A bill for the benefit of the Sheriff of Graves county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 3d, 4th, 5th, 6th, and 7th bills were severally ordered to be engrossed and read a third time; the 2d, 9th, and 10th, were referred to the committee on Ways and Means; and the 8th to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 3d, 4th, 5th, 6th, and 7th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bates moved the following resolution, viz :

*Resolved*, That the committee on Circuit Courts be required to examine and report whether or not it would be expedient to change or abolish any of the chancery terms of the Circuit Court in the 4th Judicial District.

Which was adopted.

Mr. J. J. Thomas read and laid on the table the following resolution, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a joint committee of two from the Senate, and three from the House of Representatives, be appointed to visit, inquire into, and report to this General Assembly the condition of the Second Lunatic Asylum, at Hopkinsville.

Mr. Wintersmith moved the following resolution, viz :

*Resolved*, That there be added to the 8th rule of the joint rules of both Houses, the words, "by a majority of two-thirds of the members present."

Which was adopted.

Mr. Wintersmith moved the following resolution, viz :

*Resolved*, That a standing committee of five members be appointed, to be called the committee on Benevolent Institutions.

And the question being taken on the adoption of the same, it was decided in the negative ; and so the said resolution was rejected.

On motion of Mr. Burnam,

*Ordered*, That Mr. Cox be added to the committee on Education.

Leave was given to bring in the following bills, viz :

On motion of Mr. Jackson—1. A bill to amend the charter of the Richmond and Irvine Plank Road Company.

On motion of same—2. A bill to incorporate the Estill Springs Company.

On motion of Mr. James—3. A bill chartering a Railroad Company to construct a Railroad from the city of Lexington to the Kentucky river, at or near the Three Forks of said river.

On motion of Mr. Fitch—4. A bill authorizing the substitution of one Presiding Judge for another in certain cases.

On motion of Mr. Landrum—5. A bill to amend an act amending the Revenue Law, approved February 10, 1845.

On motion of Mr. McKee—6. A bill to define the duties and regulate the salary of the Quartermaster General of the Kentucky Militia.

On motion of same—7. A bill to increase the license to "Ten Pin," "Nine Pin," or any other "Pin Alley," or "Roley Boley" Alley.

On motion of same—8. A bill to allow the Commonwealth a peremptory challenge to jurors in the trial of criminal cases.

On motion of Mr. Lindsay—9. A bill to incorporate McClure Chapter, No. 48, of Royal Arch Masons, in the town of Crittenden.

On motion of Mr. Morgan—10. A bill providing for the registration of births, marriages, and deaths.

On motion of Mr. Bullitt—11. A bill to amend an act, entitled, an act to authorize the sale of the estates of infants and femes covert, approved March 24th, 1851.

On motion of Mr. Burnam—12. A bill to amend the 4th section of the 6th article of the 14th chapter of the act revising the Statute Laws, approved March 24th, 1851.

On motion of Mr. Trimble—13. A bill to incorporate the Mangum Lodge, No. 21, I. O. O. F., at Paducah.

On motion of Mr. Hagins—14. A bill for the benefit of the late Sheriff of Breathitt county.

On motion of same—15. A bill to increase the fees of the Justices of the Peace.

On motion of Mr. Hatfield—16. A bill to change the law regulating the retailing of spirituous liquors.

On motion of Mr. Alfred—17. A bill to change the time of holding the Courts of the Justices of the Peace in Washington county.

On motion of Mr. Shepperd—18. A bill authorizing creditors, and others, to file a petition under section 16th of an act, entitled, an act to organize County Courts in the several counties, approved 11th March, 1851.

On motion of Mr. Harman—19. A bill for the benefit of the 12th Common School District, in the county of Whitley.

On motion of same—20. A bill to erect a toll gate across the Whitley turnpike road.

*Ordered*, That the committee on Internal Improvement prepare and bring in the 1st; the committee on the Judiciary, the 2d, 3d, 8th, 15th, and 18th; Messrs. Fitch, R. G. Lewis, and Griggs, the 4th; Messrs. Landrum, Marshall, and Canby, the 5th; the committee on Military Affairs, the 6th; the committee on Ways and Means, the 7th; Messrs. Lindsay, Wintersmith, Burnam, and Mitchell, the 9th; Messrs. Morgan, Burnett, and Dodds, the 10th; Messrs. Bullitt, Craig, and Helm, the 11th; the committee on Revised Statutes, the 12th; Messrs. Trimble, Dodds, and Triplett, the 13th; Messrs. Hagins, Stivers, and Burnam, the 14th; Messrs. Hatfield, Nash, Oglesby, and Webster, the 16th; Messrs.



Alfred, Engleman, and Edrington, the 17th; Messrs. Harman, Davis, and Lee, the 19th; and Messrs. Harman, Hundley, and Stivers, the 20th.

Mr. Burnam read and laid on the table the following resolution, to-wit:

*Resolved by the General Assembly of the Commonwealth of Kentucky, That the Superintendent of Public Instruction be requested to prepare and submit to the General Assembly, at as early a day as possible, his annual report upon all matters connected with the duties of his office, and the cause of education in Kentucky, except those portions thereof which may be based upon the annual reports made to him by the Commissioners of Common Schools in the several counties.*

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with, the said resolution was twice read, and adopted.

Mr. Mitchell moved the following resolution, viz:

*Resolved, That the committee on the Penitentiary be instructed to inquire whether an act, entitled, "an act to define the duties of the Keeper of the Penitentiary," approved March 20, 1851, has been faithfully executed; and, also, into the necessity of providing the convicts therein with additional bed-clothing, and into the necessity and practicability of rendering warmer and more comfortable the cells of the prison.*

Which was adopted.

On motion of Mr. Wintersmith,

*Ordered, That the committee of the whole be instructed to report to this House the resolution proposed by Mr. Marshall, on the 7th instant, in relation to the election of a Senator in Congress, to them referred, at half past 1 o'clock, P. M., on this day.*

The House again resolved itself into a committee of the whole, on the resolution proposed by Mr. Marshall, on the 7th inst., in relation to the election of a Senator in Congress, Mr. Mitchell in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Mitchell reported that the committee had, according to order, had under consideration the resolution aforesaid, and had instructed him to report the same to the House without amendment, which he handed in at the Clerk's table.

Mr. Bates moved to amend said resolution, by striking out all after the enacting clause, and inserting in lieu thereof the following, viz:

That it is inexpedient and unnecessary to elect, during this session of the Legislature, a Senator to the Congress of the United States.

The question was then put on said amendment.

Mr. Bates moved a call of the House.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. N. Green and Trimble, were as follows, viz:



Those who voted in the affirmative, were

William Bailey,	David Elms,	Elijah S. Mitchusson,
Cleaton Bane,	John F. Gaar,	Robert O. Morgan,
Joseph H. Barlow,	William C. Grier,	Samuel M. Moore,
James P. Bates,	Grant Green,	Thomas J. Nash,
John S. Boyd,	Norvin Green,	Joseph A. Nevitt,
A. H. Bryan,	Samuel Hatfield,	Micajah Oglesby,
Isaac Burnett,	Charles J. Helm,	Joel W. Sallee,
John Calvert,	Alvin Herndon,	James C. Sprigg,
Charles G. C. Canby,	Thomas Hagins,	John J. Thomas,
Robert M. Carlisle,	Alvin M. Hume,	Lawrence S. Trimble,
A. D. Cosby,	Garland Hurt,	Thornton Triplett,
Hezekiah Cox,	John B. Laffoon,	Claiborne J. Walton,
Jonathan Davis,	Charles Lee,	William C. Webster,
Francis U. Dodds,	William McMillan,	Alex. H. Willingham—43.
James Edelin,		

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	John B. Holladay,	Andrew Monroe,
Granville C. Alfred,	Benjamin F. Hume,	Barnett C. Moran,
William C. Anderson,	James H. Hundley,	William F. Moore,
Solomon Baker,	William G. Jackson,	Birch Musselman,
Charles M. Briggs,	John G. James,	William T. Samuels,
Joshua F. Bullitt,	Henry S. Johnson,	Elijah G. Seebree,
Curtis F. Burnam,	Alfred M. Jones,	Isaac N. Shepperd,
James L. Caldwell,	John A. Keith,	Green Sterett,
Edwin S. Craig,	Benjamin H. Kerrrck,	Daniel B. Stivers,
Ellis Duncan,	John J. Landrum,	Napoleon B. Stone,
Price Edrington,	Joseph H. Lewis,	Joshua H. Thomas,
Christian Engleman,	Robert G. Lewis,	William O. Thomson,
Elisha S. Fitch,	Opie J. Lindsay,	Francis Troutman,
Francis Ford,	Thomas F. Marshall,	Drury Tye,
Thomas R. Givens,	Henry D. McHenry,	John S. Williams,
Jacob S. Golladay,	George R. McKee,	James C. Wilmore,
David Griggs,	William C. McNary,	Francis H. Winfrey,
John J. Haley,	Strother D. Mitchell,	Chas. G. Wintersmith—55.
Thomas R. Harman,		

Mr. N. Green took an appeal from the decision of the Chair, deciding that said question was decided in the negative.

The question was then taken—"shall the decision of the Chair stand as the judgment of the House?" and it was decided in the affirmative.

The yeas and nays being taken thereon, were as follows, viz:

Those who voted in the affirmative, were

Granville C. Alfred,	David Griggs,	Elijah S. Mitchusson,
William C. Anderson,	Grant Green,	Andrew Monroe,
William Bailey,	Norvin Green,	Barnett C. Moran,
Solomon Baker,	John J. Haley,	Robert O. Morgan,
Cleaton Bane,	Thomas R. Harman,	Samuel M. Moore,
Joseph H. Barlow,	Samuel Hatfield,	William F. Moore,
James P. Bates,	Charles J. Helm,	Birch Musselman,
John S. Boyd,	Alvin Herndon,	Thomas J. Nash,
Charles M. Briggs,	Thomas Hagins,	Joseph A. Nevitt,
A. H. Bryan,	John B. Holladay,	Micajah Oglesby,

Joshua F. Bullitt,  
Curtis F. Burnam,  
Isaac Burnett,  
James L. Caldwell,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
A. D. Cosby,  
Hezekiah Cox,  
Edwin S. Craig,  
Jonathan Davis,  
Francis U. Dodds,  
Ellis Duncan,  
James Edelin,  
Price Edrington,  
David Elms,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
John F. Gaar,  
Thomas R. Givens,  
Jacob S. Golladay,  
William C. Grier,

Alvin M. Hume,  
Benjamin F. Hume,  
James H. Hundley,  
Garland Hurt,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John B. Laffoon,  
John J. Landrum,  
Charles Lee,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
Thomas F. Marshall,  
Henry D. McHenry,  
George R. McKee,  
William McMillan,  
William C. McNary,  
Strother D. Mitchell,

Joel W. Sallee,  
William T. Samuels,  
Elijah G. Seabee,  
Isaac N. Shepperd,  
James C. Sprigg,  
Green Sterett,  
Daniel B. Stivers,  
Napoleon B. Stone,  
John J. Thomas,  
Joshua H. Thomas,  
William O. Thomson,  
Lawrence S. Trimble,  
Thornton Triplett,  
Francis Troutman,  
Drury Tye,  
Claiborne J. Walton,  
William C. Webster,  
John S. Williams,  
Alex. H. Willingham,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—97.

At 2 o'clock, P. M., Mr. Helm moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Sprigg and Bullitt, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Issac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
A. D. Cosby,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,

James Edelin,  
Price Edrington,  
David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,

Charles Lee,  
William McMillan,  
Elijah S. Mitchusson,  
Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Micajah Oglesby,  
James C. Sprigg,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—43.

Those who voted in the negative, were

Mr. Speaker, (Robertson,) Granville C. Alfred,  
William C. Anderson,  
Charles M. Briggs,  
Joshua F. Bullitt,  
Curtis F. Burnum,  
James L. Caldwell,  
Edwin S. Craig,  
Ellis Duncan,

Benjamin F. Hume,  
James H. Hundley,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,

Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
Joseph A. Nevitt,  
William T. Samuels,  
Elijah G. Seabee,  
Isaac N. Shepperd,  
Green Sterett,  
Daniel B. Stivers,

Christian Engleman,	Joseph H. Lewis,	Napoleon B. Stone,
Elisha S. Fitch,	Robert G. Lewis,	Joshua H. Thomas,
Francis Ford,	Opie J. Lindsay,	William O. Thomson,
Thomas R. Givens,	Thomas F. Marshall,	Francis Troutman,
Jacob S. Golladay,	Henry D. McHenry,	Drury Tye,
David Griggs,	George R. McKee,	John S. Williams,
John J. Haley,	William C. McNary,	James C. Wilmore,
Thomas R. Harman,	Strother D. Mitchell,	Francis H. Winfrey,
John B. Holladay,	Andrew Monroe,	Chas. G. Wintersmith—54.

Mr. Monroe moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. N. Green and Wintersmith, were as follows, viz :

Those who voted in the affirmative, were

Mr. (Speaker,) Robertson,	John B. Holladay,	Andrew Monroe,
Granville C. Alfred,	Benjamin F. Hume,	Barnett C. Moran,
William C. Anderson,	James H. Hundley,	William F. Moore,
Charles M. Briggs,	William G. Jackson,	Birch Musselman,
Joshua F. Bullitt,	John G. James,	William T. Samuels,
Curtis F. Burnam,	Henry S. Johnson,	Elijah G. Sebree,
James L. Caldwell,	Alfred M. Jones,	Isaac N. Shepperd,
A. D. Cosby,	John A. Keith,	Green Sterett,
Hezekiah Cox,	Benjamin H. Kerrick,	Daniel B. Stivers,
Edwin S. Craig,	John J. Landrum,	Napoleon B. Stone,
Ellis Duncan,	Joseph H. Lewis,	Joshua H. Thomas,
Christian Engleman,	Robert G. Lewis,	William O. Thomson,
Elisha S. Fitch,	Opie J. Lindsay,	Francis Troutman,
Francis Ford,	Thomas F. Marshall,	Drury Tye,
Thomas R. Givens,	Henry D. McHenry,	John S. Williams,
Jacob S. Golladay,	George R. McKee,	James C. Wilmore,
David Griggs,	William C. McNary,	Francis H. Winfrey,
John J. Haley,	Strother D. Mitchell,	Chas. G. Wintersmith—55.
Thomas R. Harman,		

Those who voted in the negative, were

William Bailey,	David Elms,	Elijah S. Mitchusson,
Solomon Baker,	John F. Gaar,	Robert O. Morgan,
Cleaton Bane,	William C. Grier,	Samuel M. Moore,
Joseph H. Barlow,	Grant Green,	Thomas J. Nash,
James P. Bates,	Norvin Green,	Joseph A. Nevitt,
John S. Boyd,	Samuel Hatfield,	Micajah Oglesby,
A. H. Bryan,	Charles J. Helm,	Joel W. Sallee,
Isaac Burnett,	Alvin Herndon,	James C. Sprigg,
John Calvert,	Thomas Hagins,	John J. Thomas,
Charles G. C. Canby,	Alvin M. Hume,	Lawrence S. Trimble,
Robert M. Carlisle,	Garland Hurt,	Thornton Triplett,
Jonathan Davis,	John B. Laffoon,	Claiborne J. Walton,
Francis U. Dodds,	Charles Lee,	William C. Webster,
James Edelin,	William McMillan,	Alex. H. Willingham—43.
Price Edrington,		



At 25 minutes past 2 o'clock, P. M., Mr. N. Green moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. N. Green and Sprigg, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,	Price Edrington,	William McMillan,
Solomon Baker,	David Elms,	Elijah S. Mitchusson,
Cleaton Bane,	John F. Gaar,	Robert O. Morgan,
Joseph H. Barlow,	William C. Grier,	Samuel M. Moore,
James P. Bates,	Grant Green,	Thomas J. Nash,
John S. Boyd,	Norvin Green,	Micajah Oglesby,
A. H. Bryan,	Samuel Hatfield,	Joel W. Sallee,
Isaac Burnett,	Charles J. Helm,	James C. Sprigg,
John Calvert,	Alvin Herndon,	John J. Thomas,
Charles G. C. Canby,	Thomas Hagins,	Lawrence S. Trimble,
Robert M. Carlisle,	Alvin M. Hume,	Thornton Triplett,
Hezekiah Cox,	Benjamin F. Hume,	Claiborne J. Walton,
Jonathan Davis,	Garland Hurt,	William C. Webster,
Francis U. Dodds,	John B. Laffoon,	Alex. H. Willingham—44.
James Edelin,	Charles Lee,	

Those who voted in the negative, were

Mr. (Speaker,) Robertson,	John B. Holladay,	Barnett C. Moran,
Granville C. Alfred,	James H. Hundley,	William F. Moore,
William C. Anderson,	William G. Jackson,	Birch Musselman,
Charles M. Briggs,	John G. James,	Joseph A. Nevitt,
Joshua F. Bullitt,	Henry S. Johnson,	William T. Samuels,
Curtis F. Burnam,	Alfred M. Jones,	Elijah G. Seebree,
James L. Caldwell,	John A. Keith,	Isaac N. Shepperd,
A. D. Cosby,	Benjamin H. Kerrick,	Green Sterett,
Edwin S. Craig,	John J. Landrum,	Daniel B. Stivers,
Ellis Duncan,	Joseph H. Lewis,	Napoleon B. Stone,
Christian Engleman,	Robert G. Lewis,	Joshua H. Thomas,
Elisha S. Fitch,	Opie J. Lindsay,	William O. Thomson,
Francis Ford,	Thomas F. Marshall,	Francis Troutman,
Thomas R. Givens,	Henry D. McHenry,	Drury Tye,
Jacob S. Golladay,	George R. McKee,	John S. Williams,
David Griggs,	William C. McNary,	James C. Wilmore,
John J. Haley,	Strother D. Mitchell,	Francis H. Winfrey,
Thomas R. Harman,	Andrew Monroe,	Chas. G. Wintersmith—54.

Mr. N. Green moved a call of the House.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. N. Green and Canby, were as follows, viz :



## Those who voted in the affirmative, were

William Bailey,	Price Edrington,	William McMillan,
Solomon Baker,	David Elms,	Elijah S. Mitchusson,
Joseph H. Barlow,	Francis Ford,	Robert O. Morgan,
James P. Bates,	John F. Gaar,	Thomas J. Nash,
John S. Boyd,	William C. Grier,	Joseph A. Nevitt,
A. H. Bryan,	Grant Green,	Micajah Oglesby,
Isaac Burnett,	Norvin Green,	Joel W. Sallee,
John Calvert,	Samuel Hatfield,	James C. Sprigg,
Charles G. C. Canby,	Charles J. Helm,	John J. Thomas,
Robert M. Carlisle,	Alvin Herndon,	Lawrence S. Trimble,
A. D. Cosby,	Thomas Hagins,	Thornton Triplett,
Hezekiah Cox,	Alvin M. Hume,	Claiborne J. Walton,
Jonathan Davis,	Garland Hurt,	William C. Webster,
Francis U. Dodds,	John B. Laffoon,	Alex. H. Willingham—44.
James Edelin,	Charles Lee,	

## Those who voted in the negative, were

Mr. Speaker, (Robertson),	James H. Hundley,	Samuel M. Moore,
Granville C. Alfred,	William G. Jackson,	William F. Moore,
William C. Anderson,	John G. James,	Birch Musselman,
Charles M. Briggs,	Henry S. Johnson,	William T. Samuels,
Joshua F. Bullitt,	Alfred M. Jones,	Elijah G. Seabee,
Curtis F. Burnam,	John A. Keith,	Isaac N. Shepperd,
James L. Caldwell,	Benjamin H. Kerrick,	Green Sterett,
Edwin S. Craig,	John J. Landrum,	Daniel B. Stivers,
Ellis Duncan,	Joseph H. Lewis,	Napoleon B. Stone,
Christian Engleman,	Robert G. Lewis,	Joshua H. Thomas,
Elisha S. Fitch,	Opie J. Lindsay,	William O. Thomson,
Thomas R. Givens,	Thomas F. Marshall,	Francis Troutman,
Jacob S. Golladay,	Henry D. McHenry,	Drury Tye,
David Griggs,	George R. McKee,	John S. Williams,
John J. Haley,	William C. McNary,	James C. Wilmore,
Thomas R. Harman,	Strother D. Mitchell,	Francis H. Winfrey,
John B. Holladay,	Andrew Monroe,	Chas. G. Wintersmith—53.
Benjamin F. Hume,	Barnett C. Moran,	

Mr. S. M. Moore moved a reconsideration of the vote refusing a call of the House.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. S. M. Moore and Willingham, were as follows, viz :

## Those who voted in the affirmative, were

William Bailey,	Price Edrington,	Elijah S. Mitchusson,
Solomon Baker,	David Elms,	Robert O. Morgan,
Cleaton Bane,	John F. Gaar,	Samuel M. Moore,
Joseph H. Barlow,	William C. Grier,	Thomas J. Nash,
James P. Bates,	Grant Green,	Joseph A. Nevitt,
John S. Boyd,	Norvin Green,	Micajah Oglesby,
A. H. Bryan,	Samuel Hatfield,	John J. Park,
Isaac Burnett,	Charles J. Helm,	Joel W. Sallee,

John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
A. D. Cosby,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,

Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
William McMillan,

James C. Sprigg,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—46.

#### Those who voted in the negative, were

Mr. Speaker, (Robertson,) Benjamin F. Hume,  
Granville C. Alfred, James H. Hundley,  
William C. Anderson, William G. Jackson,  
Charles M. Briggs, John G. James,  
Joshua F. Bullitt, Henry S. Johnson,  
Curtis F. Burnam, Alfred M. Jones,  
James L. Caldwell, John A. Keith,  
Edwin S. Craig, Benjamin H. Kerrick,  
Ellis Duncan, John J. Landrum,  
Christian Engleman, Joseph H. Lewis,  
Elisha S. Fitch, Robert G. Lewis,  
Francis Ford, Opie J. Lindsay,  
Thomas R. Givens, Thomas F. Marshall,  
Jacob S. Golladay, Henry D. McHenry,  
David Griggs, George R. McKee,  
John J. Haley, William C. McNary,  
Thomas R. Harman, Strother D. Mitchell,  
John B. Holladay,

Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
William T. Samuels,  
Elijah G. Seabee,  
Isaac N. Shepperd,  
Green Sterett,  
Daniel B. Stivers,  
Napoleon B. Stone,  
Joshua H. Thomas,  
William O. Thomson,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—52.

At 10 minutes of 3 o'clock, P. M., Mr. Dodds moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. N. Green and S. M. Moore, were as follows, viz :

#### Those who voted in the affirmative, were

William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
A. D. Cosby,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,

James Edelin,  
Price Edrington,  
David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,

Charles Lee,  
William McMillan,  
Elijah S. Mitchusson,  
Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Micajah Oglesby,  
Joel W. Sallee,  
James C. Sprigg,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—43.

## Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Benjamin F. Hume,	William F. Moore,
Granville C. Alfred,	James H. Hundley,	Birch Musselman,
William C. Anderson,	William G. Jackson,	Joseph A. Nevitt,
Charles M. Briggs,	John G. James,	John J. Park,
Joshua F. Bullitt,	Alfred M. Jones,	William T. Samuels,
Curtis F. Burnam,	John A. Keith,	Elijah G. Sebree,
James L. Caldwell,	Benjamin H. Kerrck,	Isaac N. Shepperd,
Edwin S. Craig,	John J. Landrum,	Green Sterett,
Ellis Duncan,	Joseph H. Lewis,	Daniel B. Stivers,
Christian Engleman,	Robert G. Lewis,	Napoleon B. Stone,
Elisha S. Fitch,	Opie J. Lindsay,	Joshua H. Thomas,
Francis Ford,	Thomas F. Marshall,	William O. Thomson,
Thomas R. Givens,	Henry D. McHenry,	Francis Troutman,
Jacob S. Golladay,	George R. McKee,	Drury Tye,
David Griggs,	William C. McNary,	John S. Williams,
John J. Haley,	Strother D. Mitchell,	James C. Wilmore,
Thomas R. Harman,	Andrew Monroe,	Francis H. Winfrey,
John B. Holladay,	Barnett C. Moran,	Chas. G. Wintersmith—54.

The question was then taken on the adoption of the amendment proposed by Mr. Bates, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Bates and N. Green, were as follows, viz :

## Those who voted in the affirmative, were

William Bailey,	Price Edrington,	Elijah S. Mitchusson,
Solomon Baker,	David Elms,	Robert O. Morgan,
Cleaton Bane,	John F. Gaar,	Samuel M. Moore,
Joseph H. Barlow,	William C. Grier,	Thomas J. Nash,
James P. Bates,	Grant Green,	Joseph A. Nevitt,
John S. Boyd,	Norvin Green,	Micajah Oglesby,
A. H. Bryan,	Samuel Hatfield,	Joel W. Sallee,
Isaac Burnett,	Charles J. Helm,	James C. Sprigg,
John Calvert,	Alvin Herndon,	John J. Thomas,
Charles G. C. Canby,	Thomas Hagins,	Lawrence S. Trimble,
Robert M. Carlisle,	Alvin M. Hume,	Thornton Triplett,
Hezekiah Cox,	Garland Hurt,	Claiborne J. Walton,
Jonathan Davis,	John B. Laffoon,	William C. Webster,
Francis U. Dodds,	Charles Lee,	Alex. H. Willingham—44.
James Edelin,	William McMillan,	

## Those who voted in the negative, were

Mr. (Speaker,) Robertson,	Benjamin F. Hume,	Barnett C. Moran,
Granville C. Alfred,	James H. Hundley,	William F. Moore,
William C. Anderson,	William G. Jackson,	Birch Musselman,
Charles M. Briggs,	John G. James,	John J. Park,
Joshua F. Bullitt,	Henry S. Johnson,	William T. Samuels,
Curtis F. Burnam,	Alfred M. Jones,	Elijah G. Sebree,
James L. Caldwell,	John A. Keith,	Isaac N. Shepperd,
A. D. Cosby,	Benjamin H. Kerrick,	Green Sterett,
Edwin S. Craig,	John J. Landrum,	Daniel B. Stivers,
Ellis Duncan,	Joseph H. Lewis,	Napoleon B. Stone,
Christian Engleman,	Robert G. Lewis,	Joshua H. Thomas,



Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,  
John J. Haley,  
Thomas R. Harman,  
John B. Holladay,

Opie J. Lindsay,  
Thomas F. Marshall,  
Henry D. McHenry,  
George R. McKee,  
William C. McNary,  
Strother D. Mitchell,  
Andrew Monroe,

William O. Thomson,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—55.

The question was then taken on the adoption of the resolution proposed by Mr. Marshall, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. S. M. Moore and Cox, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,) Granville C. Alfred,  
William C. Anderson,  
Charles M. Briggs,  
A. H. Bryan,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
James L. Caldwell,  
A. D. Cosby,  
Edwin S. Craig,  
Ellis Duncan,  
Price Edrington,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,  
John J. Haley,

Thomas R. Harman,  
John B. Holladay,  
Benjamin F. Hume,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
Thomas F. Marshall,  
Henry D. McHenry,  
George R. McKee,  
William C. McNary,  
Strother D. Mitchell,  
Andrew Monroe,

Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
John J. Park,  
William T. Samuels,  
Elijah G. Seebree,  
Isaac N. Shepperd,  
Green Sterett,  
Daniel B. Stivers,  
Napoleon B. Stone,  
Joshua H. Thomas,  
William O. Thomson,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—56.

Those who voted in the negative, were

William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
Issac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,

David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
William McMillan,

Elijah S. Mitchusson,  
Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
Joel W. Sallee,  
James C. Sprigg,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—42.

And then the House adjourned.



THURSDAY, NOVEMBER 13, 1851.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to authorize a change in the State road leading from the Tennessee river to Columbus.

An act embodying into one the several acts, and amending the road law of Campbell county.

An act to amend the act incorporating the Maysville and Mountsterling Turnpike Road Company.

That they had passed a bill, entitled,

An act legalizing the election of the Marshal of the town of Independence.

1. Mr. Alfred presented the petition of sundry citizens of Washington county, praying a removal of the county seat of said county.

2. Mr. Nash presented the petition of Augustin L. Haydon, praying that as a stockholder in the Springfield, Lebanon, and New Market Turnpike Road, he may be exempt from working on county roads.

3. Mr. S. M. Moore presented the petition of sundry citizens of Kenton county, praying an amendment to the charter of the Kentucky Trust Company Bank.

4. Also, the petition of sundry citizens of said county, praying for the repeal of road tax within certain limits in said county.

5. Mr. Troutman presented the petition of the citizens of the town of Millersburg, in Bourbon county, praying that the fines and forfeitures inflicted in said town may be appropriated for the improvement of the same.

6. Mr. James presented the petition of the bar of the county of Fayette, praying that the salaries of the Judges may be increased.

7. Mr. Hurt presented the petition of Erastus G., James F., and James Harris, praying the passage of a law authorizing them to convey a tract of land.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the committee on Propositions and Grievances; the 2d to the committee on Internal Improvement; the 3d to the committee on Banks; the 5th to the committee on Ways and Means; and the 6th and 7th to the committee on the Judiciary.

Mr. Anderson, from the committee on Claims, to whom was referred the petition of the Justices of the Peace for Johnson county, asked to be

discharged from the further consideration of the same, which was granted.

*Ordered*, That said petition be referred to the committee on the Judiciary.

Mr. Anderson, from the same committee, to whom was referred leave to bring in a bill for the benefit of David Howell, of Floyd county, asked to be discharged from the further consideration of the same, which was granted.

Mr. Anderson, from the same committee, to whom was referred the petition of Timothy Burgess, reported the same with the following resolution, viz :

*Resolved*, That said petition be rejected.

Which was concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Claims—1. A bill for the benefit of M. Pruden.

By same—2. A bill for the benefit of John Friend and Jacob Fitzpatrick.

By the committee on the Judiciary—3. A bill authorizing the Judge of the Boyle County Court to sell a portion of the Court House lot.

By Mr. Willingham—4. A bill to change the time of holding the Livingston and Crittenden Circuit Courts.

By Mr. Dodds—5. A bill to exempt persons over sixty years of age from paying poll tax.

By Mr. Cox—6. A bill to regulate the fees of Justices of the Peace.

By Mr. Landrum—7. A bill to amend an act, entitled, an act to amend the revenue laws, approved February 10, 1845.

By Mr. Fitch—8. A bill authorizing the substitution of one Presiding Judge for another in certain cases.

By Mr. Trimble—9. A bill to incorporate Mangum Lodge, No. 21, I. O. O. F.

By Mr. Hagins—10. A bill for the benefit of the Sheriff of Breathitt county.

By Mr. Bullitt—11. A bill to amend an act, entitled, an act to authorize the sale of the estates of infants and femes covert, approved March 24, 1851.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was referred to the committee on Claims ; the 2d and 3d were severally ordered to be engrossed and read a third time ; the 4th was referred to the committee on Circuit

Courts; the 5th, 6th, and 8th, to the committee on County Courts; the 7th and 10th to the committee on Ways and Means; and the 9th and 11th to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 2d and 3d bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. N. Green moved the following resolution, viz:

*Resolved*, That the Auditor of Public Accounts be requested to furnish this House with a copy of the minutes of such proceedings, if any, as were had by the Board of Commissioners of the Sinking Fund, upon the question of the liability of the Sinking Fund for the interest on the bonds of the State, held by the Board of Education; and to furnish also the minutes of any proceedings which were had by said Board of Sinking Fund Commissioners, directing the purchase of the State bonds held by the Bank of Kentucky.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Park—1. A bill allowing Trustees and County Commissioners of Common Schools longer time to make out and transmit their reports.

On motion of Mr. Jackson—2. A bill to incorporate a company to construct a Turnpike road from Mountsterling to Irvine, by way of Kidwell and Red River Iron Works.

On motion of same—3. A bill to incorporate a company to construct a Turnpike road from Winchester to Kidwell.

On motion of Mr. Fitch—4. A bill to amend the charter of the Maysville and Mountsterling Turnpike Road Company.

On motion of Mr. Monroe—5. A bill to amend the revenue laws.

On motion of Mr. McKee—6. A bill for the benefit of John Bussing, of Garrard county.

On motion of Mr. Willingham—7. A bill to change the time of holding elections for Justices of the Peace and Constables.

On motion of Mr. S. M. Moore—8. A bill to amend the charter of the Covington and Lexington Railroad Company.

On motion of Mr. W. F. Moore—9. A bill to increase the tax for the benefit of Common Schools, to be submitted to a general vote.

On motion of Mr. Hundley—10. A bill to declare Troublesome creek a navigable stream, as high as Samuel Cornett's, in Letcher county.

On motion of Mr. Bullitt—11. A bill to amend the charter of the Shelbyville and Louisville Turnpike Road Company.



On motion of Mr. Sallee—12. A bill authorizing County Courts to make new election districts, and change boundary lines and voting places.

On motion of Mr. Webster—13. A bill to repeal an act, entitled, an act to amend the Common School laws, approved March 11, 1851.

*Ordered*, That the committee on Education prepare and bring in the 1st and 9th; the committee on Internal Improvement the 2d and 3d; Messrs. Fitch, Mitchell, and Keith, the 4th; the committee on Revised Statutes, the 5th; the committee on the Judiciary, the 6th; the committee on Privileges and Elections, the 7th; Messrs. S. M. Moore, Troutman, and James, the 8th; Messrs. Hundley, Sallee, and Hurt, the 10th; Messrs. Bullitt, Sprigg, and Kerrick, the 11th; Messrs. Sallee, McNary, and Sterett, the 12th; and Messrs. Webster, Bates, and Wintersmith, the 13th.

Bills from the Senate, of the following titles, viz :

1. An act regulating changes of venue from County Courts.
2. An act to prescribe the term of office for the inferior officers of this Commonwealth.
3. An act to amend and reduce into one the several acts concerning private passways in Mercer county.
4. An act to regulate the time of holding the Green County Court.
5. An act to appropriate land warrants in the county of Knox.
6. An act legalizing the election of the Marshal of the town of Independence.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was referred to the committee on County Courts; the 2d to the committee on the Judiciary; the 3d to the committee on Internal Improvement; and the 4th, 5th, and 6th, were ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of the 4th, 5th, and 6th bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act to incorporate Friendship Lodge, No. 5, I. O. O. F., at Lexington, Kentucky, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

*Ordered*, That said bill have its third reading on to-morrow, at 11 o'clock, A. M.



The House then took up the resolution read and laid on the table on yesterday by Mr. J. J. Thomas, which being twice read, was adopted.

On motion of Mr. Willingham,

*Ordered*, That the committee on Circuit Courts be instructed to report to this House, as soon as practicable, the bill referred to them on this day to change the time of holding the Livingston and Crittenden Circuit Courts.

And then the House adjourned.

FRIDAY, NOVEMBER 14, 1851.

1. Mr. N. Green presented the petition of Drs. Sutton, Mills, and Sneed, a committee of the Kentucky State Medical Society, asking the passage of a law to provide for the registration of births, marriages, and deaths.

2. Mr. Anderson presented the petition of David A. Knox, praying that the sum of one hundred and sixty dollars may be appropriated, to reimburse him for that amount paid for a land warrant issued by the State, and which has been lost by a superior claim.

3. Mr. Monroe presented the petition of the members of the Frankfort bar, praying that the salaries of Circuit Judges may be increased.

4. Mr. Jackson presented a similar petition of members of the bar, officers of the court, and citizens of Estill county.

5. Mr. James presented a petition from citizens of Fayette county, praying for the passage of a law to establish a school for teachers.

6. Mr. Engleman presented a petition from Griffin Edwards, and others, citizens of Lincoln county, praying that the boundaries of District No. 1, in said county, may be changed, so as to include their farms and residences.

Which were received, the reading dispensed with, and referred—the 1st and 5th to the committee on Education; the 2d, 3d, and 4th, to the committee on the Judiciary; and the 6th to the committee on Privileges and Elections.

*Ordered*, That the Public Printer forthwith print 150 copies of the

first named petition, for the use of the members of the General Assembly.

Mr. Alfred, from the committee on Privileges and Elections, to whom was referred leave to bring in a bill for the better regulation of the election precincts in Spencer county, asked to be discharged from the further consideration of the same, which was granted.

Mr. McKee, from the committee on the Judiciary, to whom was referred leave to bring in a bill to increase the fees of Justices of the Peace, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said leave be referred to the committee on County Courts.

Mr. McKee, from the same committee, to whom was referred leave to bring in a bill to repeal the act, entitled, an act repealing all acts authorizing allowances to Clerks and Sheriffs for *ex officio* services, approved March 21, 1851, asked leave to be discharged from the consideration of the same, which was granted.

*Ordered*, That said leave be referred to the committee on Ways and Means.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Privileges and Elections—1. A bill to divide District No. 4, in Trigg county.

By the committee on the Judiciary—2. A bill to repeal an act, entitled, an act further to regulate the town of Paintsville, and for other purposes, approved March 4, 1850.

By same—3. A bill to amend the law regulating proceedings in criminal cases.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was ordered to be engrossed and read a third time ; the 2d was referred to Messrs. Duncan, Hurt, and McKee ; and the 3d to the committee of the whole, and made the special order of the day for the 21st inst.

The rule of the House, constitutional provision, and third reading of the 1st bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill authorizing the Constable in District No. 6, in Madison county, to appoint a deputy, reported the same without amendment.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative; and so the said bill was rejected.

Mr. McKee, from the same committee, to whom was referred a bill from the Senate, entitled, an act to authorize Constables in the city of Covington to appoint deputies, reported the same without amendment.

On motion of Mr. Wintersmith,

*Ordered*, That the said bill be re-committed to the committee on the Judiciary, with instructions to report a bill to repeal all laws authorizing the appointment of Deputy Constables.

A bill from the Senate, entitled, an act to incorporate Friendship Lodge, No. 5, I. O. O. F., at Lexington, Kentucky, was read the third time.

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House then resolved itself into a committee of the whole, on the bill to amend an act to regulate ferries across the Ohio river, Mr. Wintersmith in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Wintersmith reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House without amendment, which he handed in at the Clerk's table.

Mr. Monroe moved an amendment to said bill, as a substitute.

And then the House adjourned.

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#### SATURDAY, NOVEMBER 15, 1851.

1. Mr. Alfred presented the petition of Fanny Reeling, praying compensation for taking care of and supporting Godfrey Hardin, an idiot.

2. Mr. S. M. Moore presented the petition of sundry citizens of Kenton county, praying the establishment of a school for teachers.

3. Mr. James presented the resolutions of the Council of the city of Lexington, in relation to the imposition of a tax upon foreign Insurance Companies, in aid of the Fire Department.



4. Also, the resolutions of the Council of the city of Lexington, in relation to the method of ascertaining the number of children between five and sixteen years.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims ; the 2d and 4th to the committee on Education ; and the 3d to the committee on the Judiciary.

Mr. McKee, from the committee on the Judiciary, to whom was referred a resolution instructing them to inquire into the expediency of repealing all laws granting licenses to merchants to retail spirituous liquors, asked to be discharged from the further consideration of the same, which was granted.

Mr. McKee, from the same committee, to whom was referred leave to bring in a bill licensing Jenny Lind tables, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said leave be referred to the committee on the Sinking Fund.

Mr. Burnett, from the committee on Ways and Means, to whom was referred a bill to amend an act, entitled, an act to amend the revenue laws, approved February 10, 1845, reported the same without amendment.

*Ordered*, That said bill be referred to the committee on Revised Statutes.

Mr. McNary, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to amend and reduce into one the several acts concerning private passways in Mercer county, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McNary, from the same committee, to whom was referred a bill to amend an act, entitled, an act further to provide for the collection of tolls in Green and Big Barren rivers, reported the same with an amendment, as a substitute for said bill.

*Ordered*, That said bill and amendment be referred to the committee on the Sinking Fund.

Mr. Burnam, from the committee on Education, to whom was referred a bill to incorporate Campbell Female College, in Campbell county, reported the same without amendment.

*Ordered*, That said bill be read a third time.



The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bates, from the committee on County Courts, to whom was referred a bill to exempt persons over sixty years of age from paying poll tax, reported the same without amendment.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative ; and so the said bill was rejected.

Mr. Bates, from the same committee, to whom was referred a bill to regulate the fees of Justices of the Peace, reported the same without amendment.

*Ordered*, That said bill be referred to Messrs. Bullitt, Monroe, Bates, Cox, and S. M. Moore.

The Speaker laid before the House a communication from the President of the Board of Internal Improvement, which is as follows, viz :

OFFICE INTERNAL IMPROVEMENT,  
FRANKFORT, NOV. 14, 1851. }

HON. GEORGE ROBERTSON,

*Speaker of the House of Representatives :*

SIR : Finding a report from this Board is expected by many of the members of the Legislature, I have concluded to state that I am now engaged in that duty. The reports from this Board have always been made on the first of January, each year, and it is desirable to continue that rule ; but, in the meantime, should any information be wanted from this office, it will be furnished whenever called for. That I may not appear negligent in any part of my duty, I will request that this communication be made known to the members of the House of Representatives.

Respectfully,

D. R. HAGGARD,  
P. B. I. I.

The Speaker laid before the House a response of the Auditor to the resolution moved by Mr. N. Green on the 13th instant, which is as follows, viz :

AUDITOR'S OFFICE, }  
Frankfort, 15th Nov., 1851. }

HON. GEORGE ROBERTSON,

*Speaker of the House of Representatives.*

SIR : In response to a resolution of the house of representatives of the 13th inst., as follows :

" *Resolved*, That the auditor of public accounts be requested to furnish this house with a copy of the minutes of such proceedings, if any, as were had by the board of commissioners of the sinking fund upon the question of the liability of the sinking fund for the interest on the bonds of the state held by the board of education ; and to furnish, also,

the minutes of any proceedings which were had by said board of commissioners of the sinking fund, directing the purchase of the state bonds held by the bank of Kentucky,"

I herewith submit the following extracts from the sinking fund minute book :

At a meeting of the commissioners of the sinking fund, July 20, 1850 : present, his excellency, John J. Crittenden, chairman ; E. H. Taylor, J. W. Finnell, and J. B. Temple, commissioners, it was

*Ordered*, That the auditor of public accounts issue a warrant on the treasurer in favor of the board of education, for the sum of thirty-three thousand five hundred and six dollars and seventy-five cents, to pay the semi-annual interest to the 1st inst., on that part of the school fund the interest of which is chargeable to the sinking fund.

17TH MAY, 1851.—The sinking fund commissioners met : present, his excellency, John L. Helm, chairman, and E. H. Taylor, J. W. Finnell, and James Barbour, commissioners ; also, John Tilford.

The commissioners having determined to invest the surplus of the fund now on hand, provided the investment can be made upon the terms prescribed by law, and favorable to the commonwealth, met at the executive office this day, and after maturely considering such communications as had been received in reply to letters and inquiries otherwise made by the chairman of the board, for the information of the commissioners, it was unanimously resolved, that the board accept the proposition of the bank of Kentucky, embraced in the following letter, and purchase the \$250,000 of the state five per cent. bonds, held by the bank of Kentucky, upon the terms proposed :

BANK OF KENTUCKY, 16th May, 1851.

*To his Excellency, JOHN L. HELM :*

DEAR SIR : Understanding that the commissioners of the sinking fund are desirous to purchase and cancel a portion of the state debt with the surplus of the funds dedicated by the constitution to the payment of the principal of the state debt ; and the legal restriction limiting the price, not to exceed par, thereby excluding the purchase of state six per cents, which are now worth about 106 in the market ; I have thought it may be desirable, for the interest of the state, to purchase the whole or some portion of the state five per cents, now held by this bank, amounting to \$250,000. I therefore propose, in behalf of the bank, to sell you those bonds at ten per cent. discount, say ninety per cent., one half of the amount to be delivered, with the accumulated interest since 1st January last ; the other half to be delivered after the 1st July next. On this half, the bank will of course collect the current six months' interest. The state five per cents, by the last quotations, with interest payable in New York, are worth from ninety-five to ninety-six ; but few of them are, however, in the market, and of those with interest payable in Kentucky, I do not suppose you could obtain \$100,000, at the price named for in this sale, in the next three months.

Very respectfully, your ob't servant,

VIRGIL McKNIGHT, *President.*

Therefore, it is ordered that the auditor of public accounts be directed to issue a warrant upon the treasurer for the sum of one hundred and

twelve thousand five hundred dollars, payable to Virgil McKnight, Esq., president of the bank of Kentucky, upon delivery to him for cancelment, as secretary of this board, of \$125,000 of the five per cent. bonds of the state of Kentucky, with all coupons payable subsequent to January last, attached thereto.

JOHN L. HELM, *President,*

JOHN TILFORD, *President N. Bk. Ky.*

E. H. TAYLOR,

JOHN W. FINNELL, *Sec'y of State,*

J. BARBOUR, *Auditor Public Accounts.*

Virgil McKnight, Esq., one of the commissioners of the sinking fund, was also in attendance upon the call of his excellency, the chairman of the board, but did not cast his vote in any matter involving the purchase of the five per cent. state bonds held by the bank of Kentucky.

At a meeting of the commissioners of the sinking fund, June 30, 1851—present, his excellency, John L. Helm, chairman, and E. H. Taylor, John W. Finnell, and J. Barbour, commissioners, it was

*Ordered,* That in pursuance to an order of the commissioners, May 17, 1851, the auditor of public accounts draw a warrant on the treasury for ninety thousand dollars, in favor of E. H. Taylor, cashier, for one hundred thousand dollars of the five per cent. state bonds, surrendered by the bank of Kentucky to the secretary of this board, for cancelment.

At a meeting of the board of commissioners, July 2, 1851—present, his excellency, John L. Helm, chairman, John W. Finnell, E. H. Taylor, and J. Barbour, commissioners, it was

*Ordered,* That the auditor of public accounts issue a warrant on the treasury in favor of E. H. Taylor, cashier, for the sum of twenty-two thousand five hundred dollars, for the redemption of twenty-five thousand dollars of the five per cent. bonds of the state of Kentucky, under an arrangement with the bank of Kentucky of the 17th May, 1851; and also a warrant in favor of E. H. Taylor, cashier, for three thousand one hundred and twenty-five dollars, for the redemption of the July coupons, 1851, on the last one hundred and twenty-five thousand dollars redeemed; said warrants to be issued upon the surrendering of said \$25,000 bonds; and said \$3,125 coupons to the secretary of the board for cancelment; and so soon as the July dividend of the bank of Kentucky shall be paid into the treasury.

Commissioners met at executive office, 16th October, 1851—present, L. W. Powell, chairman, John Tilford, president northern bank, Virgil McKnight, president bank of Kentucky, E. H. Taylor, David Meriwether, Thomas S. Page, commissioners. The governor, as chairman, having laid before the board a statement of the resources and liabilities of the sinking fund, together with his opinion that the sinking fund is liable for the payment of the interest due upon the bonds of the state held by the board of education. Therefore,

*Ordered,* That the auditor of public accounts issue his warrant on the treasury to the board of education for the sum of thirty-three thousand five hundred and six dollars seventy-five cents, to pay the semi-annual interest due the school fund 1st January, 1851; also, a warrant for thirty-three thousand five hundred and six dollars, seventy-five cents, to pay



the semi-annual interest due the school fund 1st July, 1851 ; provided that the interest due upon the bonds of the state held by individuals and corporations be first paid.

THO. S. PAGE, Auditor.

*Ordered*, That said response be referred to the committee on the Sinking Fund; and that the Public Printer forthwith print 150 copies of said response for the use of the members of the General Assembly.

A message was received from the Senate, announcing that they had passed bills and a resolution, which originated in this House, of the following titles, viz :

An act to provide for surveying and re-marking the dividing line between Barren and Edmonson counties.

An act to change the place of voting in District No. 6, in Knox county.

An act to change the place of voting in the 2d District, in Meade county.

A resolution requesting the Superintendent of Public Instruction to make a partial report.

That they had passed bills of the following titles, viz :

An act to repeal an act to authorize the County Courts of Nelson and Barren counties to subscribe stock in the Louisville and Nashville Railroad Company, approved 15th March, 1850.

An act to require the County Court of Bourbon county to subscribe to the stock of the Covington and Lexington Railroad Company.

An act authorizing the County Court of Bracken to lay the county levy at the November term, 1851.

And had received official information from the Governor that he had approved and signed, on the 14th of November, 1851, an enrolled resolution in relation to the death of Col. E. H. Field.

Mr. Winfrey, from the committee on Propositions and Grievances, reported a bill to remove the Seat of Justice in the county of Washington; which was read the first time, and ordered to be read a second time.

On motion,

*Ordered*, That said bill have its second reading on the 24th inst.

Mr. Duncan, from the select committee to whom was referred a bill to repeal an act, entitled, an act further to regulate the town of Paintsville, and for other purposes, approved March 4, 1850, reported the same with an amendment, which was concurred in.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.



The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on the Judiciary—1. A bill to amend an act, entitled, an act to organize County Courts in the several counties, approved March 11, 1851.

By the committee on Internal Improvement—2. A bill to amend an act amendatory to an act to incorporate the Lebanon, New Market, and Springfield Turnpike Road Company, approved March 5, 1850.

By Mr. Sallee—3. A bill authorizing Judges of the County Courts and Justices to change election precincts.

By Mr. Helm—4. A bill for the benefit of Common School Districts in Campbell county.

By Mr. Harman—5. A bill in relation to Common School District, No. 12, in Whitley county.

By Mr. Bullitt—6. A bill to amend the charter of the Shelbyville and Louisville Turnpike Road Company.

By Mr. S. M. Moore—7. A bill to amend the charter of the Covington and Lexington Railroad Company.

By Mr. Lindsay—8. A bill to incorporate McClure Chapter, No. 48, of Royal Arch Masons, in Crittenden, Grant county.

By Mr. Fitch—9. A bill amending the charter of the Maysville and Mountsterling Turnpike Road Company.

By Mr. Hurt—10. A bill for the benefit of persons holding lands lying back of other lands in the vicinity of any navigable stream in this State.

By Mr. Lindsay—11. A bill to change the State road leading from Covington to Lexington.

By Mr. Alfred—12. A bill to change the time of holding Justices' quarterly courts in the county of Washington.

By Mr. Oglesby—13. A bill for the benefit of mechanics in Monroe county.

By Mr. B. F. Hume—14. A bill to change the time of holding the quarterly terms of the Pendleton County Court.

By Mr. Hundley—15. A bill to declare Troublesome creek a navigable stream to Samuel Cornett's, in Letcher county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 5th, 6th, 7th, 8th, 9th, 11th, 12th, 13th, 14th, and 15th, were severally ordered to be engrossed and read a third time; the 3d was referred to the committee on County Courts; the 4th to the committee on Education; and the 10th to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 5th, 6th, 7th, 8th, 9th, 11th, 12th, 13th, 14th, and 15th bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The House again resumed the consideration of the bill to amend an act to regulate ferries across the Ohio river, and the substitute proposed therefor by Mr. Monroe.

*Ordered*, That said bill and substitute be referred to the committee on Revised Statutes.

On motion of Mr. Wintersmith,

*Ordered*, That the committee on the Judiciary be discharged from the further consideration of the bill to amend an act to organize County Courts in the several counties, approved March 11, 1851, and to repeal the act to amend said act, approved March 24, 1851; and that the same be referred to the committee of the whole, and made the special order of the day for Thursday, the 20th instant.

Leave was given to bring in the following bills, viz:

On motion of Mr. Canby—1. A bill to amend the charter of the Union and Florence Turnpike Road Company, in Boone county.

On motion of same—2. A bill to incorporate the Union and Beaver Turnpike Road Company, in Boone county.

On motion of Mr. Lee—3. A bill to create the office of Police Judge and Marshal in the town of Shepherdsville, in Bullitt county.

On motion of Mr. Helm—4. A bill to increase the corporate limits of the city of Newport.

On motion of same—5. A bill to change the election precincts in Campbell county.

On motion of Mr. Cox—6. A bill to amend the Common School laws.

On motion of Mr. Williams—7. A bill for the benefit of Stephen Adams, Deputy Sheriff of Clarke county.

On motion of Mr. Jackson—8. A bill for the benefit of the children of lawfull school age in the county of Estill.

On motion of Mr. McKee—9. A bill to amend the charter of the town of Bryantsville, in Garrard county.

On motion of Mr. N. Green—10. A bill to amend the charter of the town of New Castle.

On motion of Mr. W. F. Moore—11. A bill to amend an act declaring Wolf creek, in Lawrence county, a navigable stream.

On motion of Mr. Hundley—12. A bill to grant M. G. Horton the liberty of retailing spirituous liquors.

On motion of Mr. Bryan—13. A bill to incorporate the Louisville and Jeffersontown Plank Road Company.

On motion of Mr. Trimble—14. A bill for the benefit of the Sheriff of McCracken county.

On motion of Mr. Mitchell—15. A bill to provide for a uniform practice in the County Courts.

On motion of same—16. A bill to repeal sections 519, 520, 521, 522, 523, 524, 525, 541, and 545, of an act entitled, an act to establish a Code of Practice in civil cases in the Courts of this Commonwealth, approved March 22, 1851.

On motion of Mr. McHenry—17. A bill to create the office of Marshal of the town of Hartford.

On motion of Mr. Briggs—18. A bill to amend the law regulating the duties of executors and administrators.

*Ordered*, That Messrs. Canby, Landrum, and S. M. Moore, prepare and bring in the 1st; Messrs. Canby, W. F. Moore, and Helm, the 2d; Messrs. Lee, Samuels, and Davis, the 3d; Messrs. Helm, G. Green, and S. M. Moore, the 4th; Messrs. Helm, Canby, and G. Green, the 5th; the committee on Education, the 6th and 8th; Messrs. Williams, McKee, and Bullitt, the 7th; the committee on the Judiciary, the 9th, 10th, and 17th; the committee on Propositions and Grievances, the 11th; Messrs. Hundley, Stivers, and Tye, the 12th; Messrs. Bryan, Bullitt, and Kerick, the 13th; Messrs. Trimble, Burnett, and Dodds, the 14th; the committee on County Courts, the 15th; the committee on the Code of Practice, the 16th; and Messrs. Briggs, Monroe, and Samuels, the 18th.

Mr. McNary moved the following resolution, viz :

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency, and constitutionality of repealing all laws districting counties in general elections.

Which was adopted.

Mr. Webster read and laid on the table the following resolution, to-wit :

Whereas, the Keeper of the Penitentiary, in his report to the present General Assembly, asks to have the privilege restored to him of shaving the head of each convict under his charge, contending that this feature, (heretofore prominent in the discipline of the prison,) is indispensably necessary to enforce a proper subordination, and as an effectual preventive to escapes; and, whereas, it is evident that some prominent, inerasable, and undisguisable marks should be kept upon them, so as readily to distinguish them from the good citizens of this Commonwealth, in case of escape, and as the old system of shaving the head is objected to by some as being injurious to health, for remedy whereof, as an efficient substitute and an appropriate sign to be borne by them—



*Be it resolved by the General Assembly of the Commonwealth of Kentucky,* That the Keeper of the Penitentiary shall procure a suitable chemical dye, such as will stain the cuticle or outer surface of the skin permanently black, so that it cannot be washed off, or in any way removed, until time shall wear it away, and nature furnish a new cuticle or surface; and that with this dye, he shall have the nose of each male convict painted *thoroughly black*, and renew the application as often as may be necessary to *keep it so*, until within one month of the expiration of his sentence, when it shall be discontinued for the purpose of permitting nature to restore the feature to its original hue, preparatory to the second advent of its owner into the world.

And then the House adjourned.

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MONDAY, NOVEMBER 17, 1851.

Mr. Seabee, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Trustees of Centre Point Meeting House, in Monroe county.

An act for the benefit of John Elliott, and Mary Ann Elliott, his wife, of Fleming county.

An act to incorporate Boyle Lodge, No. 56, I. O. O. F., at Perryville.

An act for the benefit of George Dunn, Jailer of McCracken county.

An act to amend the act incorporating the Maysville and Mountsterling Turnpike Road Company.

An act to authorize a change in the State road leading from the Tennessee river to Columbus.

An act vesting the County Court of Owen with power to change the location of a part of the State road leading from Covington to Louisville.

An act to extend the provisions of an act, entitled, an act regulating the price of taking up boats on the Ohio river, approved January 29, 1829, to all the navigable streams of this State.



An act to provide for changing the place of voting in the 5th district, and for the creation of an additional civil district and election precinct in Christian county.

An act for the benefit of the stockholders in the Carrolton and Eagle Creek Turnpike Road Company.

An act for the benefit of Samuel Haycraft.

An act for the benefit of the infant children of John Braxdall, jr., deceased.

An act embodying into one the several acts, and amending the road law of Campbell county.

An act to provide for surveying and re-marking the dividing line between Barren and Edmonson counties.

An act to change the place of voting in District No. 6, in Knox county.

An act to change the place of voting in the 2d District, in Meade county.

Resolution requesting the Superintendent of Public Instruction to make a partial report.

A resolution appointing a joint committee to visit the Deaf and Dumb Asylum at Danville.

A resolution appointing a joint committee to visit the Lunatic Asylum at Lexington.

A resolution appointing a joint committee to visit the Institution for the Education of the Blind at Louisville.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Sebree inform the Senate thereof.

Mr. Haley presented the petition of sundry citizens of Rockcastle county, praying the establishment of a school for teachers; which was received, the reading dispensed with, and referred to the committee on Education.

A bill from the Senate, entitled, an act authorizing the County Court of Bracken to lay the county levy at the November term, 1851, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Burnam, from the committee on the Judiciary, to whom was referred a bill to incorporate Mangum Lodge, No. 21, I. O. O. F., reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Burnam, from the same committee, to whom was referred a bill from the Senate, entitled, an act to prescribe the term of office of the inferior officers of this Commonwealth, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnam, from the same committee, to whom was referred the petition of Erastus, James F., and James Harris, and the petition of the Justices of the Johnson County Court, asked to be discharged from the further consideration of the same, which was granted.

Mr. Bates, from the committee on County Courts, to whom was referred a bill from the Senate, entitled, an act regulating changes of venue from County Courts, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled, an act requiring the Master Commissioner in Chancery to execute a bond for the performance of the duties of his office.

That they had passed bills from this House, of the following titles, to-wit:

An act incorporating the Kentucky State Medical Society.

An act to amend an act, entitled, an act to incorporate Odd Fellows Hall, of Newport, Kentucky, approved February 25, 1848.

An act to incorporate Mason Lodge, No. 33, I. O. O. F.

An act to establish the town of Duncansville.

An act to regulate the duties of Jailers relative to runaway slaves.

An act to empower the Trustees of Williamsburg to sell a portion of a street in said town.

An act for the benefit of the late Clerks of the Circuit and County Courts.

An act for closing up certain old roads in Fleming county.

With amendments to the last five named bills.

That they had passed bills of the following titles, viz :

An act to charter the Louisville and Covington Railroad Company.

An act to amend the act, entitled, an act to incorporate the Maysville and Big Sandy Railroad Company, approved December 18, 1850.

An act to amend an act, entitled, an act to incorporate the Trustees of the Kentucky Baptist Education Society, approved January 15, 1829.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Education—1. A bill to incorporate Forrest Spring College, in Allen county.

By same—2. A bill dividing School District, No. 58, in Adair county.

By Mr. Canby—3. A bill to amend the charter of the Union and Florence Turnpike Road Company.

By same—4. A bill to incorporate the Union and Beaver Turnpike Road Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, by Mr. McHenry, announcing that they were then ready, according to law, to proceed to the election of a Senator in Congress.

Mr. Wintersmith moved the following resolution, viz :

*Resolved*, That a committee be appointed to inform the Senate that this House is now ready to go into the election of a Senator in the Congress of the United States, to serve the term of six years, from and after the 4th day of March, 1853, as required by section 1 of article 9 of an act to regulate elections, approved March 24, 1851.

Mr. J. H. Lewis moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. N. Green and Burnett, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Thomas R. Harman,	Andrew Monroe,
Granville C. Alfred,	John B. Holladay,	Barnett C. Moran,
William C. Anderson,	Benjamin F. Hume,	William F. Moore,
John S. Boyd,	James H. Hundley,	Birch Musselman,
Charles M. Briggs,	William G. Jackson,	William T. Samuels,
Joshua F. Bullitt,	John G. James,	Elijah G. Seabee,
Curtis F. Burnam,	Henry S. Johnson,	Isaac N. Shepperd,



James L. Caldwell,  
Willis S. Chaplin,  
A. D. Cosby,  
Edwin S. Craig,  
Ellis Duncan,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,  
John J. Haley,

Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
George R. McKee,  
Henry D. McHenry,  
William C. McNary,  
Strother D. Mitchell,

Green Sterett,  
Daniel B. Stivers,  
Napoleon B. Stone,  
Joshua H. Thomas,  
William O. Thomson,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—55.

Those who voted in the negative, were

William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,  
Price Edrington,

David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
William McMillan,  
Elijah S. Mitchusson,

Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
James C. Sprigg,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—43.

The main question was then put—"shall the resolution be adopted?" and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Bates and Wintersmith, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,) Thomas R. Harman,  
Granville C. Alfred, John B. Holladay,  
William C. Anderson, Benjamin F. Hume,  
Charles M. Briggs, James H. Hundley,  
Joshua F. Bullitt, William G. Jackson,  
Curtis F. Burnam, John G. James,  
James L. Caldwell, Henry S. Johnson,  
Willis S. Chaplin, Alfred M. Jones,  
A. D. Cosby, John A. Keith,  
Edwin S. Craig, Benjamin H. Kerrick,  
Ellis Duncan, John J. Landrum,  
Christian Engleman, Joseph H. Lewis,  
Elisha S. Fitch, Robert G. Lewis,  
Francis Ford, Opie J. Lindsay,  
Thomas R. Givens, Henry D. McHenry,  
Jacob S. Golladay, George R. McKee,  
David Griggs, William C. McNary,  
John J. Haley, Strother D. Mitchell,

Andrew Monroe,  
Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
William T. Samuels,  
Elijah G. Seebree,  
Isaac N. Shepperd,  
Green Sterett,  
Daniel B. Stivers,  
Napoleon B. Stone,  
Joshua H. Thomas,  
William O. Thomson,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—54.



## Those who voted in the negative, were

William Bailey,	Price Edrington,	Elijah S. Mitchusson,
Solomon Baker,	David Elms,	Robert O. Morgan,
Cleaton Bane,	John F. Gaar,	Samuel M. Moore,
Joseph H. Barlow,	William C. Grier,	Thomas J. Nash,
James P. Bates,	Grant Green,	Joseph A. Nevitt,
John S. Boyd,	Norvin Green,	Micajah Oglesby,
A. H. Bryan,	Samuel Hatfield,	John J. Park,
Isaac Burnett,	Charles J. Helm,	Joel W. Sallee,
John Calvert,	Alvin Herndon,	James C. Sprigg,
Charles G. C. Canby,	Thomas Hagins,	John J. Thomas,
Robert M. Carlisle,	Alvin M. Hume,	Lawrence S. Trimble,
Hezekiah Cox,	Garland Hurt,	Thornton Triplett,
Jonathan Davis,	John B. Laffoon,	Claiborne J. Walton,
Francis U. Dodds,	Charles Lee,	William C. Webster,
James Edelin,	William McMillan,	Alex. H. Willingham—45.

Whereupon, Mr. Wintersmith was appointed said committee.

Mr. Winfrey nominated Mr. George Robertson as a suitable person to fill the office of Senator in Congress.

Mr. Mitchell nominated Mr. Archibald Dixon.

Mr. Bates nominated Mr. William O. Butler, and

Mr. Kerrick nominated Mr. Humphrey Marshall.

And after interchanging nominations, this House proceeded to take a vote, which stood thus:

## Those who voted for Mr. Robertson, were

Granville C. Alfred,	Benjamin F. Hume,	Isaac N. Shepperd,
William C. Anderson,	John G. James,	Napoleon B. Stone,
Curtis F. Burnam,	Robert G. Lewis,	Francis Troutman,
Willis S. Chaplin,	Opie J. Lindsay,	Drury Tye,
Christian Engleman,	George R. McKee,	John S. Williams,
Elisha S. Fitch,	Andrew Monroe,	James C. Wilmore,
Thomas R. Harman,	William F. Moore,	Francis H. Winfrey—21.

## Those who voted for Mr. Archibald Dixon, were

Charles M. Briggs,	James H. Hundley,	Barnett C. Moran,
A. D. Cosby,	William G. Jackson,	William T. Samuels,
Ellis Duncan,	Henry S. Johnson,	Elijah G. Seabee,
Francis Ford,	Alfred M. Jones,	James C. Sprigg,
Thomas R. Givens,	John A. Keith,	Green Sterett,
Jacob S. Golladay,	Joseph H. Lewis,	Daniel B. Stivers,
David Griggs,	Henry D. McHenry,	Joshua H. Thomas,
John J. Haley,	William C. McNary,	William O. Thomson—26.
John B. Holladay,	Strother D. Mitchell,	

## Those who voted for Mr. Wm. O. Butler, were

William Bailey,	Price Edrington,	Elijah S. Mitchusson,
Solomon Baker,	David Elms,	Robert O. Morgan,
Cleaton Bane,	John F. Gaar,	Samuel M. Moore,
Joseph H. Barlow,	William C. Grier,	Thomas J. Nash,
James P. Bates,	Grant Green,	Joseph A. Nevitt,

John S. Boyd,	Norvin Green,	Micajah Oglesby,
A. H. Bryan,	Samuel Hatfield,	John J. Park,
Isaac Burnett,	Charles J. Helm,	Joel W. Sallee,
John Calvert,	Alvin Herndon,	John J. Thomas,
Charles G. C. Canby,	Thomas Hagins,	Lawrence S. Trimble,
Robert M. Carlisle,	Alvin M. Hume,	Thornton Triplett,
Hezekiah Cox,	Garland Hurt,	Claiborne J. Walton,
Jonathan Davis,	John B. Laffoon,	William C. Webster,
Francis U. Dodds,	Charles Lee,	Alex. H. Willingham—44.
James Edelin,	William McMillan,	

Those who voted for Mr. H. Marshall, were

Joshua F. Bullitt,	Benjamin H. Kerrick,	Birch Musselman,
James L. Caldwell,	John J. Landrum,	Chas. G. Wintersmith—7.
Edwin S. Craig,		

For Mr. Crittenden—Thomas F. Marshall.

Messrs. Burnam, McNary, and Bates, were appointed a committee on the part of this House to act in conjunction with a committee on the part of the Senate, to compare the joint vote, and report the result.

After a short time, Mr. Burnam, from said committee, reported that the joint vote stood thus :

For Mr. Robertson,	-	-	-	-	-	-	-	26
For Mr. Dixon,	-	-	-	-	-	-	-	41
For Mr. Butler,	-	-	-	-	-	-	-	60
For Mr. Marshall,	-	-	-	-	-	-	-	8
For Mr. John J. Crittenden,	-	-	-	-	-	-	-	1

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus :

Those who voted for Mr. Robertson, were

Granville C. Alfred,	Benjamin F. Hume,	Isaac N. Shepperd,
William C. Anderson,	John G. James,	Napoleon B. Stone,
Curtis F. Burnam,	Robert G. Lewis,	Francis Troutman,
Willis S. Chaplin,	Opie J. Lindsay,	Drury Tye,
Christian Engleman,	George R. McKee,	John S. Williams,
Elisha S. Fitch,	Andrew Monroe,	James C. Wilmore,
Thomas R. Harman,	William F. Moore,	Francis H. Winfrey—21.

Those who voted for Mr. Dixon, were

Charles M. Briggs,	James H. Hundley,	Strother D. Mitchell,
A. D. Cosby,	William G. Jackson,	Barnett C. Moran,
Ellis Duncan,	Henry S. Johnson,	Elijah G. Seabee,
Francis Ford,	Alfred M. Jones,	James C. Sprigg,
Thomas R. Givens,	John A. Keith,	Green Sterett,
David Griggs,	Joseph H. Lewis,	Daniel B. Stivers,
John J. Haley,	Henry D. McHenry,	Joshua H. Thomas,
John B. Holladay,	William C. McNary,	William O. Thomson—24.

Those who voted for Mr. Butler, were

William Bailey,	Price Edrington,	Elijah S. Mitchusson,
Solomon Baker,	David Elms,	Robert O. Morgan,

Cleaton Bane,	John F. Gaar,	Samuel M. Moore,
Joseph H. Barlow,	William C. Grier,	Thomas J. Nash,
James P. Bates,	Grant Green,	Joseph A. Nevitt,
John S. Boyd,	Norvin Green,	Micajah Oglesby,
A. H. Bryan,	Samuel Hatfield,	John J. Park,
Isaac Burnett,	Charles J. Helm,	Joel W. Sallee,
John Calvert,	Alvin Herndon,	John J. Thomas,
Charles G. C. Canby,	Thomas Hagins,	Lawrence S. Trimble,
Robert M. Carlisle,	Alvin M. Hume,	Thornton Triplett,
Hezekiah Cox,	Garland Hurt,	Claiborne J. Walton,
Jonathan Davis,	John B. Laffoon,	William C. Webster,
Francis U. Dodds,	Charles Lee,	Alex. H. Willingham—44.
James Edelin,	William McMillan,	

Those who voted for Mr. Marshall, were

Joshua F. Bullitt,	Jacob S. Golladay,	Birch Musselman,
James L. Caldwell,	Benjamin H. Kerrick,	William T. Samuels,
Edwin S. Craig,	John J. Landrum,	Chas. G. Wintersmith—9.

For Mr. Crittenden—Thomas F. Marshall.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, Mr. Burnam, from said committee, reported that the joint vote stood thus :

For Mr. Robertson,	- - - - -	27
For Mr. Dixon, -	- - - - -	88
For Mr. Butler, -	- - - - -	60
For Mr. Marshall,	- - - - -	10
For Mr. J. J. Crittenden, -	- - - - -	1

At 12 o'clock, M., Mr. Marshall moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Bates and Carlisle, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	James H. Hundley,	William F. Moore,
William C. Anderson,	William G. Jackson,	Birch Musselman,
Charles M. Briggs,	John G. James,	William T. Samuels,
Joshua F. Bullitt,	Henry S. Johnson,	Elijah G. Seabee,
Curtis F. Burnam,	John A. Keith,	Isaac N. Shepperd,
Willis S. Chaplin,	Benjamin H. Kerrick,	Daniel B. Stivers,
Edwin S. Craig,	John J. Landrum,	Napoleon B. Stone,
Ellis Duncan,	Joseph H. Lewis,	Joshua H. Thomas,
Christian Engleman,	Robert G. Lewis,	William O. Thomson,
Elisha S. Fitch,	Opie J. Lindsay,	Francis Troutman,
Jacob S. Golladay,	Thomas F. Marshall,	Drury Tye,
David Griggs,	George R. McKee,	John S. Williams,
John J. Haley,	William C. McNary,	James C. Wilmore,
Thomas R. Harman,	Strother D. Mitchell,	Francis H. Winfrey,
John B. Holladay,	Andrew Monroe,	Chas. G. Wintersmith—47.
Benjamin F. Hume,	Barnett C. Moran,	

## Those who voted in the negative, were

William Bailey,	David Elms,	William McMillan,
Solomon Baker,	Francis Ford,	Elijah S. Mitchusson,
Cleaton Bane,	John F. Gaar,	Robert O. Morgan,
Joseph H. Barlow,	Thomas R. Givens,	Samuel M. Moore,
James P. Bates,	William C. Grier,	Thomas J. Nash,
John S. Boyd,	Grant Green,	Joseph A. Nevitt,
A. H. Bryan,	Norvin Green,	Micajah Oglesby,
Isaac Burnett,	Samuel Hatfield,	John J. Park,
James L. Caldwell,	Charles J. Helm,	Joel W. Sallee,
John Calvert,	Alvin Herndon,	James C. Sprigg,
Charles G. C. Canby,	Thomas Hagins,	Green Sterett,
Robert M. Carlisle,	Alvin M. Hume,	John J. Thomas,
A. D. Cosby,	Garland Hurt,	Lawrence S. Trimble,
Hezekiah Cox,	Alfred M. Jones,	Thornton Triplett,
Jonathan Davis,	John B. Laffoon,	Claiborne J. Walton,
Francis U. Dodds,	Charles Lee,	William C. Webster,
James Edelin,	Henry D. McHenry,	Alex. H. Willingham—52.
Price Edrington,		

Mr. Sprigg moved a resolution.

The Speaker decided that said resolution was out of order.

From which decision of the Chair Mr. Sprigg took an appeal.

The question was then taken—"shall the decision of the Chair stand as the judgment of the House?" and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Sprigg and Bates, were as follows, viz :

## Those who voted in the affirmative, were

Granville C. Alfred,	David Griggs,	Barnett C. Moran,
William C. Anderson,	John J. Haley,	Robert O. Morgan,
William Bailey,	Thomas R. Harman,	Samuel M. Moore,
Solomon Baker,	Charles J. Helm,	William F. Moore,
Cleaton Bane,	Alvin Herndon,	Birch Musselman,
Joseph H. Barlow,	Thomas Hagins,	Thomas J. Nash,
John S. Boyd,	John B. Holladay,	Joseph A. Nevitt,
Charles M. Briggs,	Alvin M. Hume,	Micajah Oglesby,
Joshua F. Bullitt,	Benjamin F. Hume,	John J. Park,
Curtis F. Burnam,	James H. Hundley,	Joel W. Sallee,
Isaac Burnett,	William G. Jackson,	William T. Samuels,
James L. Caldwell,	John G. James,	Elijah G. Seebree,
John Calvert,	Henry S. Johnson,	Isaac N. Shepperd,
Charles G. C. Canby,	Alfred M. Jones,	Green Sterett,
Robert M. Carlisle,	John A. Keith,	Daniel B. Stivers,
Willis S. Chaplin,	Benjamin H. Kerrick,	Napoleon B. Stone,
A. D. Cosby,	John B. Laffoon,	John J. Thomas,
Hezekiah Cox,	John J. Landrum,	Joshua H. Thomas,
Edwin S. Craig,	Charles Lee,	William O. Thomson,
Jonathan Davis,	Joseph H. Lewis,	Lawrence S. Trimble,
Francis U. Dodds,	Robert G. Lewis,	Thornton Triplett,
Ellis Duncan,	Opie J. Lindsay,	Francis Troutman,



James Edelin,	Thomas F. Marshall,	Drury Tye,
Price Edrington,	Henry D. McHenry,	Claiborne J. Walton,
Christian Engleman,	George R. McKee,	William C. Webster,
Elisha S. Fitch,	William McMillan,	John S. Williams,
Francis Ford,	William C. McNary,	Alex. H. Willingham,
John F. Gaar,	Strother D. Mitchell,	James C. Wilmore,
Thomas R. Givens,	Andrew Monroe,	Francis H. Winfrey—88.
Jacob S. Golladay,		

Those who voted in the negative, were

James P. Bates,	William C. Grier,	Elijah S. Mitchusson,
A. H. Bryan,	Samuel Hatfield,	James C. Sprigg—8.
David Elms,	Garland Hurt,	

At a quarter past 12 o'clock, P. M., Mr. Winfrey moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. N. Green and Trimble, were as follows, viz:

Those who voted in the affirmative, were

Charles M. Briggs,	James H. Hundley,	William F. Moore,
Curtis F. Burnam,	William G. Jackson,	William T. Samuels,
James L. Caldwell,	John G. James,	Elijah G. Seabee,
Willis S. Chaplin,	Henry S. Johnson,	James C. Sprigg,
Ellis Duncan,	John A. Keith,	Daniel B. Stivers,
Christian Engleman,	John J. Landrum,	Napoleon B. Stone,
Elisha S. Fitch,	Joseph H. Lewis,	John J. Thomas,
Francis Ford,	Robert G. Lewis,	Joshua H. Thomas,
Thomas R. Givens,	Opie J. Lindsay,	William O. Thomson,
Jacob S. Golladay,	Thomas F. Marshall,	Drury Tye,
David Griggs,	George R. McKee,	John S. Williams,
Thomas R. Harman,	Strother D. Mitchell,	James C. Wilmore,
John B. Holladay,	Andrew Monroe,	Francis H. Winfrey,
Benjamin F. Hume,	Barnett C. Moran,	Chas. G. Wintersmith—42.

Those who voted in the negative, were

Granville C. Alfred,	James Edelin,	William C. McNary,
William C. Anderson,	Price Edrington,	Elijah S. Mitchusson,
William Bailey,	David Elms,	Robert O. Morgan,
Solomon Baker,	John F. Gaar,	Samuel M. Moore,
Cleaton Bane,	William C. Grier,	Birch Musselman,
Joseph H. Barlow,	Grant Green,	Thomas J. Nash,
James P. Bates,	Norvin Green,	Joseph A. Nevitt,
John S. Boyd,	Samuel Hatfield,	Micajah Oglesby,
A. H. Bryan,	Charles J. Helm,	John J. Park,
Joshua F. Bullitt,	Alvin Herndon,	Joel W. Sallee,
Issac Burnett,	Thomas Hagins,	Isaac N. Shepperd,
John Calvert,	Alvin M. Hume,	Green Sterett,
Charles G. C. Canby,	Garland Hurt,	Lawrence S. Trimble,
Robert M. Carlisle,	Alfred M. Jones,	Thornton Triplett,
A. D. Cosby,	Benjamin H. Kerrick,	Francis Troutman,

Hezekiah Cox,	John B. Laffoon,	Claiborne J. Walton,
Edwin S. Craig,	Charles Lee,	William C. Webster,
Jonathan Davis,	Henry D. McHenry,	Alex. H. Willingham—56.
Francis U. Dodds,	William McMillan,	

Mr. Sebree, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled,

An act to authorizing the County Court of Bracken to lay the county levy at the November term, 1851.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Sebree inform the Senate thereof.

And then the House adjourned.

## TUESDAY, NOVEMBER 18, 1851.

1. Mr. Carlisle presented the petition of sundry citizens of Kenton county, praying that School District, No. 13, in said county, may have its proportionable part of the School Fund for 1850.

2. Mr. Dodds presented the petition of sundry citizens in Common School District, No. 21, praying that said district may be allowed its proportion of the School Fund for 1850.

3. Mr. Carlisle presented the petition of sundry citizens of Kenton county, praying the passage of a law permitting them to change a portion of the State road in said county.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Education; and the 3d to the committee on Propositions and Grievances.

A bill from the Senate, entitled, an act to charter the Louisville and Covington Railroad Company, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, it was referred to the committee on the Judiciary.

Mr. Burnam, from the committee on the Judiciary, to whom was referred a bill for the benefit of persons holding land lying back of other lands in the vicinity of any navigable streams in this state, reported the same without amendment.

*Ordered*, That said bill, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Anderson, from the committee on the Judiciary, to whom was referred the petition of the members of the Frankfort bar, praying an increase of the salaries of the Circuit Judges, and the petition of the bar, officers of the Court, and citizens of Estill county, praying for the same object, reported the same with the following resolution, viz.

*Resolved*, That said petitions be rejected.

And the question being taken on concurring in said resolution, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Anderson and McHenry, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	David Griggs,	William F. Moore,
Granville C. Alfred,	Grant Green,	Thomas J. Nash,
William C. Anderson,	Norvin Green,	Joseph A. Nevitt,
William Bailey,	John J. Haley,	Micajah Oglesby,
Solomon Baker,	Thomas R. Harman,	John J. Park,
Joseph H. Barlow,	Samuel Hatfield,	Joel W. Sallee,
James P. Bates,	Charles J. Helm,	William T. Samuels,
John S. Boyd,	Alvin Herndon,	Elijah G. Seebree,
Charles M. Briggs,	John B. Holladay,	Isaac N. Shepperd,
A. H. Bryan,	Alvin M. Hume,	James C. Sprigg,
Isaac Burnett,	Benjamin F. Hume,	Green Sterett,
James L. Caldwell,	Garland Hurt,	Daniel B. Stivers,
John Calvert,	John G. James,	Napoleon B. Stone,
Robert M. Carlisle,	Henry S. Johnson,	John J. Thomas,
Willis S. Chaplin,	Alfred M. Jones,	Joshua H. Thomas,
A. D. Cosby,	Benjamin H. Kerrick,	William O. Thomson,
Hezekiah Cox,	John B. Laffoon,	Lawrence S. Trimble,
Jonathan Davis,	John J. Landrum,	Thornton Triplett,
Francis U. Dodds,	Charles Lee,	Francis Troutman,
Ellis Duncan,	Robert G. Lewis,	Drury Tye,
Price Edrington,	Opie J. Lindsay,	Claiborne J. Walton,
David Elms,	Henry D. McHenry,	William C. Webster,
Christian Engleman,	William McMillan,	John S. Williams,
Francis Ford,	William C. McNary,	Alex. H. Willingham,
John F. Gaar,	Strother D. Mitchell,	James C. Wilmore,
Thomas R. Givens,	Barnett C. Moran,	Francis H. Winfrey,
Jacob S. Golladay,	Robert O. Morgan,	Chas. G. Wintersmith—81.

Those who voted in the negative, were

Cleaton Bane,	William C. Grier,	Thomas F. Marshall,
Joshua F. Bullitt,	Thomas Hagins,	George R. McKee,
Curtis F. Burnam,	James H. Hundley,	Elijah S. Mitchusson,
Charles G. C. Canby,	William G. Jackson,	Andrew Monroe,
Edwin S. Craig,	John A. Keith,	Samuel M. Moore,
James Edelin,	Joseph H. Lewis,	Birch Musselman—19.
Elisha S. Fitch,		

Mr. Williams, from the same committee, to whom was referred a bill from the Senate, entitled, an act authorizing Constables in the city of Covington to appoint deputies, reported the same with an amendment, which was concurred in.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be amended to read as follows, "an act repealing all acts allowing the appointment of Deputy Constables."

Mr. Burnam, from the committee on the Judiciary, reported a bill for the benefit of Ann Ferguson, and others; which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

*Ordered*, That said bill be referred to a committee of the whole, and made the special order of the day for the 24th inst.

Mr. Burnett, from the committee on Ways and Means, to whom was referred a bill for the benefit of the Sheriff of Butler county, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnett, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of the Sheriff of Ohio county, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Burnett, from the same committee, to whom was referred a bill for the benefit of the Sheriff of Breathitt county, reported the same with an amendment, which was concurred in.



*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnett, from the same committee, to whom was referred leave to bring in a bill to repeal the act, entitled, an act repealing all laws authorizing allowances to Clerks and Sheriffs for *ex officio* services, approved March 24th, 1851, asked to be discharged from the further consideration of the same, which was granted.

Mr. Burnett, from the same committee, to whom was referred a bill for the benefit of John W. Hawes, Sheriff of Lawrence county, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnett, from the committee on Ways and Means, reported a bill to amend an act, entitled, an act to amend the laws regulating the town of Millersburg, in the county of Bourbon; which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Burnam, from the committee on Education, reported a bill concerning Common Schools in the city of Lexington; which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

*Ordered*, That said bill be referred to the committee on Revised Statutes, with the following instructions:

To report a bill to secure to each county its full proportion of the income of the Common School Fund; and if not called for, for Common School purposes, it shall be re-invested from time to time for the benefit of such county.

Mr. Burnam, from the committee on Education, to whom was referred a bill for the benefit of Common School Districts in Campbell county, reported the same with an amendment, which was concurred in.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be amended to read, "an act for the benefit of Common School Districts."

The House again resumed the election of a Senator in Congress, and the vote being taken, it stood thus :

Those who voted for Mr. Robertson, were

Granville C. Alfred,	Thomas R. Harman,	Isaac N. Shepperd,
William C. Anderson,	Benjamin F. Hume,	Napoleon B. Stone,
Curtis F. Burnam,	John G. James,	Francis Troutman,
Willis S. Chaplin,	Robert G. Lewis,	Drury Tye,
Christian Engleman,	Opie J. Lindsay,	James C. Wilmore,
Elisha S. Fitch,	George R. McKee,	Francis H. Winfrey—20.
John J. Haley,	William F. Moore,	

Those who voted for Mr. Dixon, were

Charles M. Briggs,	William G. Jackson,	Barnett C. Moran,
A. D. Cosby,	Henry S. Johnson,	Elijah G. Sebree,
Francis Ford,	Alfred M. Jones,	James C. Sprigg,
Thomas R. Givens,	John A. Keith,	Green Sterett,
Jacob S. Golladay,	Joseph H. Lewis,	Daniel B. Stivers,
John B. Holladay,	Strother D. Mitchell,	William O. Thomson—19.
James H. Hundley,		

Those who voted for Mr. Butler, were

William Bailey,	Price Edrington,	Elijah S. Mitchusson,
Solomon Baker,	David Elms,	Robert O. Morgan,
Cleaton Bane,	John F. Gaar,	Samuel M. Moore,
Joseph H. Barlow,	William C. Grier,	Thomas J. Nash,
James P. Bates,	Grant Green,	Joseph A. Nevitt,
John S. Boyd,	Norvin Green,	Micajah Oglesby,
A. H. Bryan,	Samuel Hatfield,	John J. Park,
Isaac Burnett,	Charles J. Helm,	Joel W. Sallee,
John Calvert,	Alvin Herndon,	John J. Thomas,
Charles G. C. Canby,	Thomas Hagins,	Lawrence S. Trimble,
Robert M. Carlisle,	Alvin M. Hume,	Thornton Triplett,
Hezekiah Cox,	Garland Hurt,	Claiborne J. Walton,
Jonathan Davis,	John B. Laffoon,	William C. Webster,
Francis U. Dodds,	Charles Lee,	Alex. H. Willingham—44.
James Edelin,	William McMillan,	

Those who voted for Mr. Marshall, were

Joshua F. Bullitt,	Benjamin H. Kerrick,	Birch Musselman,
James L. Caldwell,	John J. Landrum,	William T. Samuels,
Edwin S. Craig,	Henry D. McHenry,	Joshua H. Thomas,
Ellis Duncan,	William C. McNary,	John S. Williams,
David Griggs,	Andrew Monroe,	Chas. G. Wintersmith—15.

For Mr. Crittenden—Thomas F. Marshall.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, the committee reported that the joint vote stood thus:

For Mr. Robertson,	-	-	-	-	-	-	-	-	26
For Mr. Dixon,	-	-	-	-	-	-	-	-	31
For Mr. Butler,	-	-	-	-	-	-	-	-	59
For Mr. Marshall,	-	-	-	-	-	-	-	-	18
For Mr. J. J. Crittenden,	-	-	-	-	-	-	-	-	1
For Mr. J. B. Thompson,	-	-	-	-	-	-	-	-	1

Mr. Kerrick then withdrew the nomination of Mr. Marshall, and Mr. Bates withdrew the nomination of Mr. Butler.

Mr. Webster then nominated Mr. George A. Caldwell as a suitable person to fill the office of Senator in Congress; and

Mr. Samuels nominated Mr. John B. Thompson.

And after interchanging nominations, the House proceeded to take a vote, which stood thus:

Those who voted for Mr. Robertson, were

Granville C. Alfred,	John G. James,	Napoleon B. Stone,
Christian Engleman,	Robert G. Lewis,	Francis Troutman,
Elisha S. Fitch,	Opie J. Lindsay,	Drury Tye,
John J. Haley,	George R. McKee,	John S. Williams,
Thomas R. Harman,	William F. Moore,	James C. Wilmore,
Benjamin F. Hume,	Isaac N. Shepperd,	Francis H. Winfrey—18.

Those who voted for Mr. Dixon, were

Joshua F. Bullitt,	James H. Hundley,	Barnett C. Moran,
James L. Caldwell,	William G. Jackson,	Elijah G. Seabee,
A. D. Cosby,	Henry S. Johnson,	James C. Sprigg,
Edwin S. Craig,	Alfred M. Jones,	Green Sterett,
Francis Ford,	John A. Keith,	Daniel B. Stivers,
Thomas R. Givens,	Benjamin H. Kerrick,	John J. Thomas,
Jacob S. Golladay,	John J. Landrum,	Joshua H. Thomas,
David Griggs,	William C. McNary,	William O. Thomson—26.
John B. Holladay,	Strother D. Mitchell,	

Those who voted for Mr. Caldwell, were

William Bailey,	Price Edrington,	William McMillan,
Solomon Baker,	David Elms,	Elijah S. Mitchusson,
Cleaton Bane,	John F. Gaar,	Robert O. Morgan,
Joseph H. Barlow,	William C. Grier,	Samuel M. Moore,
James P. Bates,	Grant Green,	Thomas J. Nash,
John S. Boyd,	Norvin Green,	Joseph A. Nevitt,
A. H. Bryan,	Samuel Hatfield,	Micajah Oglesby,
Isaac Burnett,	Charles J. Helm,	John J. Park,
John Calvert,	Alvin Herndon,	Joel W. Sallee,
Charles G. C. Canby,	Thomas Hagins,	Lawrence S. Trimble,
Robert M. Carlisle,	Alvin M. Hume,	Thornton Triplett,
Hezekiah Cox,	Garland Hurt,	Claiborne J. Walton,
Jonathan Davis,	John B. Laffoon,	William C. Webster,
Francis U. Dodds,	Charles Lee,	Alex. H. Willingham—43.
James Edelin,		



Those who voted for Mr. Thompson, were

William C. Anderson,	Ellis Duncan,	Andrew Monroe,
Charles M. Briggs,	Joseph H. Lewis,	Birch Musselman,
Curtis F. Burnam,	Thomas F. Marshall,	William T. Samuels,
Willis S. Chaplin,	Henry D. McHenry,	Chas. G. Wintersmith—12.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, the committee reported that the joint vote stood thus :

For Mr. Robertson,	- - - - -	22
For Mr. Dixon,	- - - - -	36
For Mr. Caldwell,	- - - - -	60
For Mr. Thompson,	- - - - -	19

Mr. Webster then withdrew the nomination of Mr. Caldwell, and

Mr. Winfrey withdrew the nomination of Mr. George Robertson.

Mr. Cox nominated Mr. Beverly L. Clark as a suitable person to fill the office of Senator in Congress.

And after interchanging nominations, the House proceeded to take another vote, which stood thus :

Those who voted for Mr. Dixon, were

Joshua F. Bullitt,	James H. Hundley,	Barnett C. Moran,
James L. Caldwell,	William G. Jackson,	William F. Moore,
A. D. Cosby,	John G. James,	Elijah G. Sebree,
Price Edrington,	Henry S. Johnson,	Isaac N. Shepperd,
Francis Ford,	Alfred M. Jones,	Green Sterett,
Thomas R. Givens,	John A. Keith,	Daniel B. Stivers,
Jacob S. Golladay,	Benjamin H. Kerrrek,	Joshua H. Thomas,
David Griggs,	John J. Landrum,	William O. Thomson,
John J. Haley,	William C. McNary,	Drury Tye,
John B. Holladay,	Strother D. Mitchell,	Francis H. Winfrey—31.
Benjamin F. Hume,		

Those who voted for Mr. Clark, were

William Bailey,	David Elms,	Robert O. Morgan,
Solomon Baker,	John F. Gaar,	Samuel M. Moore,
Cleaton Bane,	William C. Grier,	Thomas J. Nash,
Joseph H. Barlow,	Grant Green,	Joseph A. Nevitt,
James P. Bates,	Norvin Green,	Micajah Oglesby,
John S. Boyd,	Samuel Hatfield,	John J. Park,
A. H. Bryan,	Charles J. Helm,	Joel W. Sallee,
Isaac Burnett,	Alvin Herndon,	James C. Sprigg,
John Calvert,	Thomas Hagins,	John J. Thomas,
Charles G. C. Canby,	Alvin M. Hume,	Lawrence S. Trimble,
Robert M. Carlisle,	Garland Hurt,	Thornton Triplett,
Hezekiah Cox,	John B. Laffoon,	Claiborne J. Walton,
Jonathan Davis,	Charles Lee,	William C. Webster,
Francis U. Dodds,	William McMillan,	Alex. H. Willingham—44.
James Edelin,	Elijah S. Mitchusson,	



## Those who voted for Mr. Thompson, were

Granville C. Alfred,	Elisha S. Fitch,	Andrew Monroe,
William C. Anderson,	Thomas R. Harman,	Birch Musselman,
Charles M. Briggs,	Joseph H. Lewis,	William T. Samuels,
Curtis F. Burnam,	Robert G. Lewis,	Napoleon B. Stone,
Willis S. Chaplin,	Opie J. Lindsay,	Francis Troutman,
Edwin S. Craig,	Thomas F. Marshall,	John S. Williams,
Ellis Duncan,	Henry D. McHenry,	James C. Wilmore,
Christian Engleman,	George R. McKee,	Chas. G. Wintersmith—24.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, the committee reported that the joint vote stood thus:

For Mr. Dixon,	- - - - -	42
For Mr. Clark,	- - - - -	61
For Mr. Thompson,	- - - - -	34

Mr. Cox then withdrew the nomination of Mr. Beverly L. Clark.

Mr. N. Green nominated Mr. Francis P. Stone as a suitable person to fill the office of Senator in Congress.

And after interchanging nominations, the House proceeded to take another vote, which stood thus:

## Those who voted for Mr. Dixon, were

Mr. Speaker, (Robertson,)	Benjamin F. Hume,	Barnett C. Moran,
Charles M. Briggs,	James H. Hundley,	William F. Moore,
Joshua F. Bullitt,	William G. Jackson,	Joseph A. Nevitt,
Curtis F. Burnam,	John G. James,	Elijah G. Sebree,
James L. Caldwell,	Henry S. Johnson,	Isaac N. Shepperd,
A. D. Cosby,	Alfred M. Jones,	Green Sterett,
Price Edrington,	John A. Keith,	Daniel B. Stivers,
Francis Ford,	Benjamin H. Kerrick,	Joshua H. Thomas,
Thomas R. Givens,	John J. Landrum,	William O. Thomson,
David Griggs,	Opie J. Lindsay,	Francis Troutman,
John J. Haley,	William C. McNary,	Drury Tye,
Thomas R. Harman,	Strother D. Mitchell,	Francis H. Winfrey—37.
John B. Holladay,		

## Those who voted for Mr. Thompson, were

Granville C. Alfred,	Jacob S. Golladay,	Birch Musselman,
William C. Anderson,	Joseph H. Lewis,	William T. Samuels,
Willis S. Chaplin,	Robert G. Lewis,	Napoleon B. Stone,
Edwin S. Craig,	Thomas F. Marshall,	John S. Williams,
Ellis Duncan,	Henry D. McHenry,	James C. Wilmore,
Christian Engleman,	Andrew Monroe,	Chas. G. Wintersmith—19.
Elisha S. Fitch,		

## Those who voted for Mr. Stone, were

William Bailey,	David Elms,	Elijah S. Mitchusson,
Solomon Baker,	John F. Gaar,	Robert O. Morgan,
Cleaton Bane,	William C. Grier,	Samuel M. Moore,
Joseph H. Barlow,	Grant Green,	Thomas J. Nash,

James P. Bates,	Norvin Green,	Micajah Oglesby,
John S. Boyd,	Samuel Hatfield,	John J. Park,
A. H. Bryan,	Charles J. Helm,	Joel W. Sallee,
Isaac Burnett,	Alvin Herndon,	James C. Sprigg,
John Calvert,	Thomas Hagins,	John J. Thomas,
Charles G. C. Canby,	Alvin M. Hume,	Lawrence S. Trimble,
Robert M. Carlisle,	Garland Hurt,	Thornton Triplett,
Hezekiah Cox,	John B. Laffoon,	Claiborne J. Walton,
Jonathan Davis,	Charles Lee,	William C. Webster,
Francis U. Dodds,	William McMillan,	Alex. H. Willingham—43.
James Edelin,		

For Mr. Garrett Davis—George R. McKee.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, the committee reported that the joint vote stood thus:

For Mr. Dixon, - - - - -	49
For Mr. Thompson, - - - - -	28
For Mr. Stone, - - - - -	60
For Mr. Garrett Davis, - - - - -	1

And then the House adjourned.

### WEDNESDAY, NOVEMBER 19, 1851.

The Speaker laid before the House a communication from John Nagle, which is as follows, viz:

TO THE HON. GEORGE ROBERTSON,

*Speaker of the House of Representatives of Kentucky:*

SIR: Pardon this intrusion—I have portraits of two distinguished sons of Kentucky which I wish to dispose of, if I can have them placed in some public institution, with a hope of their careful preservation. These portraits are of the Hon. *Henry Clay*, and of the lamented Hon. *Richard M. Johnson*, once Vice President of the United States; and it has appeared to me, and to others, that the proper place for them should be at the Seat of Government, in the Legislative Hall of Kentucky.

The picture of Mr. Clay is a full length of the largest size—the canvass being 9 feet 2 inches, by 6 feet—which, with its massive frame, occupies a space of 11 feet 2 inches in height, and 8 feet in width. The frame, (made under my direction,) is a foot wide, with handsomely carved corner-scrolls, and the whole gilded, and of solid and good workmanship.

The portrait of Col. Johnson is on a canvass of 25 by 30 inches, and represents him, as he then appeared, in a scarlet vest, blue coat, and black stock. It was painted at Frankfort, in March, 1843, while he was a member of the Legislature, and from sittings with which he honored me at intervals of leisure from his public duties. It is the only original painting of him of which I have the least knowledge.

The picture now offered to you of Mr. Clay, was commenced and nearly completed in Kentucky, and it received a careful revision and its last touches for the improvement of the coloring and general effect, on my return to Philadelphia in 1843. Mr. Clay is represented, not as a private citizen, but as a public man in his public relations to the country. In composing this picture, I was influenced by the following words uttered by him in one of his public speeches: "*I shall stand erect,*" he said, "*with a spirit unconquered whilst life endures, ready to second the exertions of the people in the cause of Liberty, the Union, and the National Prosperity.*" And he is drawn in a standing and dignified posture, pointing to the "stripes and stars" of our national flag, in allusion, also, to his speech against the right of search on the seas and the impressment of our mariners, in which he declared that "*the colors which float from the mast-head should be the credentials of our seamen.*"

An artist cannot, with propriety, like a manufacturer or a farmer, praise his own productions, but on this occasion I may be permitted to assure you, that upon the two works offered, I have exerted the utmost of my limited ability.

In my own judgment, that of Col. Johnson is one of my most spirited, truthful, and brightly-colored efforts, and perhaps it may not be improper in me to say that Mr. Clay has often warmly expressed to me his entire approbation of the likeness and the effect of the portrait.

That of Mr. Clay is one of my most elaborated pictures, and on which I have exhibited all I know of the art, in regard to the treatment of likeness, character, action, coloring, handling, breadth, and effect.

It is a more highly finished and a better work than my other picture of Mr. Clay which has been placed in the Pennsylvania Academy of the Fine Arts by Mr. Clay's political and personal friends here, who honored me with a commission to Ashland for its production.

It will not become me to say more than that both pictures offered to you, are, in every particular part, *the work of my own hand*; and with care, they have remained in a state of perfect preservation.

My price for the full length picture of Mr. Clay, now in the Academy of Arts, was one thousand dollars. The frame was an extra cost of sixty dollars. I value my portrait of Colonel Johnson at one hundred and fifty dollars. It has a plain gilt frame.

As I prefer that the two paintings offered should be preserved to posterity in the Legislative Hall of Kentucky, and as the amount of a return in a pecuniary light is not so much an object with me as the honor of such a destination for my pictures, I have concluded first to offer them to your State. If, as works of art, and in view of the associations they are intended to revive and perpetuate in the mind and heart of Kentuckians, it be your wish to possess them, and with an estimation of their being worthy of a place on the walls of the capitol of your State, I



will be content to leave the price, whatever the amount may be, entirely to the decision of your honorable body.

For an opinion of the likenesses and the quality of these works, I can refer the honorable members of the Legislature to the following gentlemen, viz :

The Hon. Speaker, George Robertson, the Hon. John J. Crittenden, the Hon. Orlando Brown, the Hon. Mason Brown, the Hon. Cassius M. Clay, Gen. Owen G. Cates, Dr. Benjamin W. Dudley, Gen. Dudley, Gen. Leslie Combs, Gen. Morgan, John H. Hanna, Esq., Edmund H. Taylor, Esq., Leonard H. Wheeler, Esq., Matthew Johnson, Esq., and others, who have seen my works at Frankfort and Lexington.

If I am not asking too much, may I beg the favor to be informed, at your earliest leisure, of the wishes of the Legislature, in regard to the subject of my communication.

I have the honor to be, with due respect, most faithfully,

Your very humble and most ob't ser'vt,

JOHN NEAGLE.

PHILADELPHIA, November 14th, 1851.

*Ordered*, That said communication be referred to the committee on the Library.

Mr. J. J. Thomas presented the petition of Zachariah Glass, and other citizens of Christian county, praying an alteration of the limits of the town of Hopkinsville; which was received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

On motion of Mr. Burnam,

*Ordered*, That leave of absence, indefinitely, be granted to Mr. Thomson.

A message was received from the Senate, announcing their disagreement to a bill and resolution from this House, of the following titles, to-wit :

An act to amend an act, entitled, an act concerning free negroes and mulattoes.

Resolution appointing a committee to visit the Second Lunatic Asylum at Hopkinsville.

That they had passed bills from this House, of the following titles, to-wit :

An act to amend an act, entitled, an act to incorporate the Lexington and Big Sandy Railroad Company.

An act to change the place of voting in Caldwell county, in district No. 4.

An act declaring Jenny's creek and Grassy creek navigable streams.

An act to authorize the Crittenden County Court to change the State road to Flynn's ferry.

An act to divide district No. 4, in Trigg county.



An act to provide for the better regulation and support of the public schools in the city of Newport.

An act to incorporate the Rough Creek Navigation and Manufacturing Company.

An act authorizing the Judge of the Boyle County Court to sell a portion of the court house lot.

With amendments to the last three named bills.

That they had passed bills of the following titles, viz :

An act for the benefit of Mahlon Pruden, and others.

An act to change the time of holding the Christian County Chancery Court.

An act to increase and define the powers of the Marshal of the town of Blandville, in Ballard county.

Mr. Sebree, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in Senate, entitled,

An act regulating changes of venue from County Courts.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Sebree inform the Senate thereof.

Mr. McKee, from the committee on the Judiciary, to whom was referred bills of the following titles, viz :

An act to amend an act, entitled, an act to authorize the sale of the estates of infants and femes covert, approved March 24, 1851.

An act for the benefit of the trustees of the town of Hartford.

Reported the same without amendment.

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Anderson, from the committee on the Judiciary, reported a bill for the benefit of David Knox, which was read the first time.

And the question being taken on ordering said bill to be read a second time, it was decided in the negative ; and the said bill was rejected.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to charter the Louisville and Covington Railroad Company, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Troutman, from the committee on Banks, to whom was referred a bill to amend the charter of the Kentucky Trust Company Bank, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

Mr. Caldwell, from the committee on Circuit Courts, to whom was referred a bill to change the time of holding the Livingston and Crittenden Circuit Courts, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; and so the said bill was rejected.

Mr. Trimble, from the committee on County Courts, to whom was referred a bill authorizing the substitution of one Presiding Judge for another in certain cases, reported the same with an amendment, which was concurred in.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be amended to read, "an act authorizing the Master Commissioners in Chancery to hold the County Courts in certain cases."

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill to incorporate the Estill Springs Company.

By same—2. A bill to create the office of Marshal of the town of Hartford.

By Mr. Lee—3. A bill to create the office of Police Judge and Marshal in the town of Shepherdsville.

By Mr. Bryan—4. A bill to incorporate the Louisville and Jefferson-town Plank Road Company.

By Mr. Caldwell—5. A bill to allow a Marshal to the town of Harrisonville, Shelby county.

By Mr. Trimble—6. A bill for the benefit of James C. Calhoun, Sheriff of McCracken county.

Which bills were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, and 5th, were ordered to be engrossed and read a third time; the 3d was referred to the committee on the Judiciary; the 4th to the committee on Internal Im-

provement, with instructions to report on Wednesday next; and the 6th to the committee on Ways and Means.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, and 5th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Barlow—1. A bill to amend the several acts regulating the election of Trustees for the town of Scottsville.

On motion of Mr. Anderson—2. A bill so to amend the Common School law as to admit children, from the ages of 5 to 18, inclusive, into Common Schools.

On motion of Mr. Mitchusson—3. A bill to amend the present mode of collecting the revenue.

On motion of Mr. Cosby—4. A bill to legalize the proceedings of the Ohio County Court.

On motion of Mr. Monroe—5. A bill for the benefit of the infant heirs of James Gay.

On motion of Mr. McKee—6. A bill for the benefit of the Lancaster and Crab Orchard Turnpike Road Company.

On motion of same—7. A bill for the benefit of the Sheriff of Garrard county.

On motion of same—8. A bill for the benefit of Ann and George Sartain.

On motion of Mr. Willingham—9. A bill to change the time of holding the Circuit Courts in the first Judicial District.

On motion of Mr. Grier—10. A bill to change that portion of the line between Greenup and Carter counties lying on Grassy creek.

On motion of Mr. Wintersmith—11. A bill for the benefit of School District, No. 37, in Hardin county.

On motion of Mr. G. Green—12. A bill to amend an act, entitled, an act to prevent the wanton destruction of fish in Kentucky and Green rivers.

On motion of Mr. Hurt—13. A bill to amend the Common School law.

On motion of Mr. Nevitt—14. A bill for the benefit of William Thompson, of Larue county.

On motion of Mr. Musselman—15. A bill to repeal an act, entitled, an act to suppress the practice of adulterating spirituous liquors, &c., approved March 20, 1851.

On motion of Mr. Burnam—16. A bill to extend the mechanics lien law of the city of Louisville to all counties in this commonwealth.

On motion of Mr. Nash—17. A bill for the benefit of the town of Lebanon, in Marion county.

*Ordered*, That Messrs. Barlow, Bates, and J. H. Lewis, prepare and bring in the 1st; the committee on Education, the 2d, 11th, and 13th; Messrs. Mitchusson, Cox, and Calvert, the 3d; Messrs. Cosby, Dodds, and Burnett, the 4th; the committee on the Judiciary, the 5th, 6th, and 8th; the committee on Ways and Means, the 7th; Messrs. Willingham, Trimble, Dodds, Morgan, Ford, and Edrington, the 9th; Messrs. Grier, Park, and Sterett, the 10th; Messrs. G. Green, Helm, and Cox, the 12th; Messrs. Nevitt, Wintersmith and Bates, the 14th; Messrs. Musselman, Williams, Bullitt, and Helm, the 15th; Messrs. Burnam, Moran, and Jackson, the 16th; and Messrs. Nash, Webster, Willingham, and Hatfield, the 17th.

Mr. Wintersmith moved the following resolution, viz:

*Resolved*, That the Superintendent of Public Instruction report to this House copies of all bonds held upon the State of Kentucky by the Board of Education.

Which was adopted.

Mr. Griggs moved the following resolution, viz:

*Resolved*, That the Judiciary committee be instructed to inquire into the expediency of authorizing Justices of the Peace to hold inquests on dead bodies in certain cases.

Which was adopted.

The House again proceeded to the election of a Senator in Congress.

Mr. N. Green then withdrew the nomination of Mr. Francis P. Stone, and

Mr. Samuels withdrew the nomination of Mr. John B. Thompson.

Mr. Helm nominated Mr. David Meriwether as a suitable person to fill the office of Senator in Congress, and

Mr. Williams nominated Mr. J. J. Crittenden.

Mr. Williams then withdrew the nomination of Mr. Crittenden.

Mr. Marshall nominated Mr. John S. Williams.

And then the House adjourned.



THURSDAY, NOVEMBER 20, 1851.

Bills from the Senate, of the following titles, viz :

1. An act to require the County Court of Bourbon county to subscribe to the stock of the Covington and Lexington Railroad Company.
2. An act to repeal an act to authorize the County Courts of Nelson and Barren counties to subscribe stock in the Louisville and Nashville Railroad Company, approved 15th March, 1850.
3. An act to amend an act, entitled, an act to incorporate the Trustees of the Kentucky Baptist Education Society, approved January 15, 1829.
4. An act to amend the act, entitled, an act to incorporate the Maysville and Big Sandy Railroad Company, approved December 18, 1850.
5. An act to increase and define the powers of the Marshal of the town of Blandville, in Ballard county.
6. An act to change the time of holding the Christian County Chancery Court.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st and 2d were referred to the committee on the Judiciary; and the 3d, 4th, 5th, and 6th, were severally ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of the 3d, 4th, 5th, and 6th bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of Mahlon Pruden, and others, was read the first time as follows :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there be paid out of the Public Treasury the following sums of money to Mahlon Pruden, for a block of stone cut by him for the Washington Monument now erecting in the city of Washington, two thousand six hundred dollars; to Edgar Needham, who was sent by the Governor from Louisville to Lexington to examine said block, twenty dollars; to William T. Bowles, who was sent by the Governor from Frankfort to Lexington to examine said block, seven dollars and fifty cents.

§ 2. That before said Pruden is paid said sum of two thousand six hundred dollars, allowed to him in the first section of this act, he shall execute bond in the Secretary's office, with three or more good securities, to be approved of by the Governor, in the penalty of five thousand two hundred dollars, to deliver said block of stone safe to William Dougherty, Superintendent of the work in erecting said monument, and bring to the

Secretary said Superintendent's receipt that said block was safely delivered; and on failure to do that, then said bond shall bind said Pruden and securities to refund to the Treasury said two thousand six hundred dollars.

*Ordered*, That said bill be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Bates moved to amend said bill, by striking out the words "two thousand six hundred."

And the question being taken thereon, it was decided in the affirmative.

Mr. Winfrey moved to amend said bill, by filling the blank with the words "two thousand."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Bates and McKee, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Christian Engleman,	Opie J. Lindsay,
William C. Anderson,	Elisha S. Fitch,	Thomas F. Marshall,
Charles M. Briggs,	Francis Ford,	George R. McKee,
Joshua F. Bullitt,	David Griggs,	Andrew Monroe,
Curtis F. Burnam,	John J. Haley,	William F. Moore,
James L. Caldwell,	John B. Holladay,	Birch Musselman,
Charles G. C. Canby,	Garland Hurt,	William T. Samuels,
Willis S. Chaplin,	John G. James,	Daniel B. Stivers,
A. D. Cosby,	Henry S. Johnson,	John J. Thomas,
Hezekiah Cox,	John A. Keith,	Thornton Triplett,
Edwin S. Craig,	Benjamin H. Kerrick,	Francis Troutman,
Ellis Duncan,	John J. Landrum,	John S. Williams,
Price Edrington,	Robert G. Lewis,	Francis H. Winfrey—39.

Those who voted in the negative, were

Granville C. Alfred,	Thomas R. Harman,	Thomas J. Nash,
William Bailey,	Samuel Hatfield,	Joseph A. Nevitt,
Solomon Baker,	Charles J. Helm,	Micajah Oglesby,
Joseph H. Barlow,	Alvin Herndon,	John J. Park,
James P. Bates,	Thomas Hagins,	Joel W. Sallee,
John S. Boyd,	Alvin M. Hume,	Elijah G. Sebree,
A. H. Bryan,	Benjamin F. Hume,	Isaac N. Shepperd,
Isaac Burnett,	James H. Hundley,	James C. Sprigg,
John Calvert,	John B. Laffoon,	Green Sterett,
Robert M. Carlisle,	Charles Lee,	Napoleon B. Stone,
Jonathan Davis,	Joseph H. Lewis,	Joshua H. Thomas,
Francis U. Dodds,	Henry D. McHenry,	Lawrence S. Trimble,
James Edelin,	William McMillan,	Drury Tye,
David Elms,	William C. McNary,	Claiborne J. Walton,
John F. Gaar,	Elijah S. Mitchusson,	William C. Webster,
Thomas R. Givens,	Barnett C. Moran,	Alex. H. Willingham,
Jacob S. Golladay,	Robert O. Morgan,	James C. Wilmore,
William C. Grier,	Samuel M. Moore,	Chas. G. Wintersmith—55.
Grant Green,		

*Ordered*, That said bill be referred to the committee on Claims.

Mr. McKee, from the committee on the Judiciary, to whom was referred the petition of the bar of the city of Lexington, praying for an increase of the salary of the Judges, reported the same with the following resolution :

*Resolved*, That said petition be rejected.

Which was concurred in.

Mr. McKee, from the same committee, to whom was referred a bill to legalize the acts of certain officers, reported the same with an amendment, which was concurred in.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Propositions and Grievances—1. A bill to establish the county of Barbour.

By Mr. Burnam—2. A bill extending the mechanics lien law to all the counties of this State.

By Mr. Hundley—3. A bill for the benefit of Elisha Breathing.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st and 2d were referred to the committee on the Judiciary ; and the 3d was ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 3d bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Helm moved the following resolution, viz :

*Resolved*, That the committee on Claims be instructed, after having notified his Excellency, the Governor of this Commonwealth, and Mr. M. Pruden, of the time of holding their meeting for that purpose, to examine Messrs. Needham and Bolles, and such other witnesses as may be brought before them, as to the value of the block of marble intended for the Washington National Monument as a work of art, and report in writing such testimony to this House.

Which was adopted.

A message was received from the Senate, announcing that they had passed a bill from the House of Representatives, entitled,



An act to incorporate Mangum Lodge, No. 21, I. O. O. F.

That they had passed a bill, entitled,

An act to incorporate the Polish House of Israel.

Leave was given to bring in the following bills, viz :

On motion of Mr. McHenry—1. A bill to amend an act, entitled, an act incorporating the town of Livermore, in Ohio county, and for other purposes.

On motion of Mr. B. F. Hume—2. A bill for the benefit of N. D. Wheeler, late Sheriff of Pendleton county.

On motion of Mr. Davis—3. A bill to incorporate the People's Hydro-pathic, Literary, and American Reform College at Frankfort.

On motion of Mr. Givens—4. A bill better to secure the interest of the heirs of estates, sold by commissioners, under a decree of the court.

On motion of Mr. Fitch—5. A bill authorizing a special term of the Fleming Circuit Court.

On motion of Mr. Lindsay—6. A bill to exempt certain persons from paying toll at the several gates on the Lexington and Covington Turnpike road.

On motion of Mr. Grier—7. A bill requiring land claimants to establish their titles, and record the same.

On motion of same—8. A bill making it felony to sell lands lying in this commonwealth when the vendor has no title.

On motion of Mr. Kerrick—9. A bill to change the location of a toll gate on the Louisville and Taylorsville Turnpike road.

On motion of Mr. Nevitt—10. A bill to repeal all laws authorizing the County Court of Larue to subscribe stock in certain railroad companies.

On motion of Mr. W. F. Moore—11. A bill to prohibit physicians from practicing medicine who have no diplomas.

On motion of Mr. Oglesby—12. A bill for the benefit of the late Sheriff of Monroe county.

*Ordered*, That the committee on the Judiciary prepare and bring in the 1st, 4th, and 7th ; the committee on Ways and Means, the 2d ; the committee on Education, the 3d and 11th ; the committee on Internal Improvement, the 6th and 9th ; the committee on Revised Statutes, the 8th ; Messrs. Fitch, R. G. Lewis, and Griggs, the 5th ; Messrs. Nevitt, Wintersmith, and Herndon, the 10th ; and Messrs. Oglesby, Trimble, and Helm, the 12th.

Mr. S. M. Moore moved the following resolution, viz :

*Resolved*, That the committee on Revised Statutes be directed to examine that portion of the Revised Statutes adopted at the last session of the General Assembly, and report such alterations and amendments thereto as may be deemed proper by them.

Which was adopted.



The House again proceeded to the election of a Senator in Congress.

Mr. Marshall withdrew the nomination of Mr. John S. Williams.

Mr. Williams then re-nominated Mr. John J. Crittenden.

And after interchanging nominations, this House proceeded to take a vote, which stood thus :

Those who voted for Mr. Dixon, were

Mr. Speaker, (Robertson,) James H. Hundley,	Isaac N. Shepperd,
Granville C. Alfred,	James C. Sprigg,
A. D. Cosby,	Greyn Sterett,
Thomas R. Givens,	Daniel B. Stivers,
David Griggs,	Napoleon B. Stone,
John J. Haley,	Joshua H. Thomas,
Thomas R. Harman,	Francis H. Winfrey—21.

Those who voted for Mr. Meriwether, were

William Bailey,	Price Edrington,	William McMillan,
Solomon Baker,	David Elms,	Elijah S. Mitchusson,
Cleaton Bane,	Francis Ford,	Robert O. Morgan,
Joseph H. Barlow,	John F. Gaar,	Samuel M. Moore,
James P. Bates,	William C. Grier,	Thomas J. Nash,
John S. Boyd,	Grant Green,	Joseph A. Nevitt,
A. H. Bryan,	Norvin Green,	Micajah Oglesby,
Isaac Burnett,	Samuel Hatfield,	John J. Park,
John Calvert,	Charles J. Helm,	Joel W. Sallee,
Charles G. C. Canby,	Alvin Herndon,	John J. Thomas,
Robert M. Carlisle,	Thomas Hagins,	Lawrence S. Trimble,
Hezekiah Cox,	Alvin M. Hume,	Thornton Triplett,
Jonathan Davis,	Garland Hurt,	Claiborne J. Walton,
Francis U. Dodds,	John B. Laffoon,	William C. Webster,
James Edelin,	Charles Lee,	Alex. H. Willingham—45.

Those who voted for Mr. Crittenden, were

William C. Anderson,	John B. Holladay,	William C. McNary,
Charles M. Briggs,	Benjamin F. Hume,	Andrew Monroe,
Joshua F. Bullitt,	Henry S. Johnson,	William F. Moore,
Curtis F. Burnam,	John A. Keith,	Birch Musselman,
James L. Caldwell,	Benjamin H. Kerrick,	William T. Samuels,
Willis S. Chaplin,	John J. Landrum,	Francis Troutman,
Edwin S. Craig,	Joseph H. Lewis,	Drury Tye,
Ellis Duncan,	Robert G. Lewis,	John S. Williams,
Christian Engleman,	Opie J. Lindsay,	James C. Wilmore,
Elisha S. Fitch,	Thomas F. Marshall,	Chas. G. Wintersmith—32.
Jacob S. Golladay,	Henry D. McHenry,	

The same committee were appointed to compare the joint vote, and report the result.

After a short time, the committee reported that the joint vote stood thus :

For Mr. Dixon, -	-	-	-	-	-	-	31
For Mr. Meriwether, -	-	-	-	-	-	-	62
For Mr. Crittenden, -	-	-	-	-	-	-	43

At 2 o'clock, P. M., Mr. Marshall moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Wintersmith and Marshall, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	David Griggs,	Henry D. McHenry,
William C. Anderson,	John J. Haley,	William C. McNary,
Cleaton Bane,	Thomas R. Harman,	Strother D. Mitchell,
Joseph H. Barlow,	John B. Holladay,	Andrew Monroe,
John S. Boyd,	Benjamin F. Hume,	Barnett C. Moran,
Charles M. Briggs,	James H. Hurdley,	William F. Moore,
Joshua F. Bullitt,	William G. Jackson,	Birch Musselman,
Curtis F. Burnam,	Henry S. Johnson,	William T. Samuels,
James L. Caldwell,	John A. Keith,	Elijah G. Sebree,
Willis S. Chaplin,	Benjamin H. Kerrick,	Daniel B. Stivers,
Edwin S. Craig,	John J. Landrum,	Joshua H. Thomas,
Jonathan Davis,	Charles Lee,	Francis Troutman,
Ellis Duncan,	Joseph H. Lewis,	Drury Tye,
Christian Engleman,	Robert G. Lewis,	John S. Williams,
Elisha S. Fitch,	Opie J. Lindsay,	James C. Wilmore,
Jacob S. Golladay,	Thomas F. Marshall,	Chas. G. Wintersmith—48.

Those who voted in the negative, were

Granville C. Alfred,	Thomas R. Givens,	Thomas J. Nash,
William Bailey,	William C. Grier,	Joseph A. Nevitt,
Solomon Baker,	Grant Green,	Micajah Oglesby,
James P. Bates,	Norvin Green,	John J. Park,
A. H. Bryan,	Samuel Hatfield,	Joel W. Sallee,
Isaac Burnett,	Charles J. Helm,	Isaac N. Shepperd,
John Calvert,	Alvin Herndon,	James C. Sprigg,
Charles G. C. Canby,	Thomas Hagins,	Green Sterett,
Robert M. Carlisle,	Alvin M. Hume,	Napoleon B. Stone,
A. D. Cosby,	John G. James,	John J. Thomas,
Hezekiah Cox,	John B. Laffoon,	Lawrence S. Trimble,
Francis U. Dodds,	George R. McKee,	Thornton Triplett,
James Edelin,	William McMillan,	Claiborne J. Walton,
Price Edrington,	Elijah S. Mitchusson,	William C. Webster,
David Elms,	Robert O. Morgan,	Alex. H. Willingham,
Francis Ford,	Samuel M. Moore,	Francis H. Winfrey—49.
John F. Gaar,		

Mr. Wintersmith moved the following resolution, viz :

*Resolved*, That the further balloting for United States Senator be postponed until Wednesday, the 3d day of December.

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Marshall and Burnett, were as follows, viz :

## Those who voted in the affirmative, were

Mr. (Speaker) Robertson,	John J. Haley,	Barnett C. Moran,
William C. Anderson,	Thomas R. Harman,	William F. Moore,
Charles M. Briggs,	John B. Holladay,	Birch Musselman,
Joshua F. Bullitt,	Benjamin F. Hume,	William T. Samuels,
Curtis F. Burnam,	Henry S. Johnson,	Elijah G. Sebree,
James L. Caldwell,	John A. Keith,	Green Sterett,
Willis S. Chaplin,	John J. Landrum,	Daniel B. Stivers,
Edwin S. Craig,	Joseph H. Lewis,	Joshua H. Thomas,
Ellis Duncan,	Opie J. Lindsay,	Francis Troutman,
Christian Engleman,	Thomas F. Marshall,	Drury Tye,
Elisha S. Fitch,	Henry D. McHenry,	John S. Williams,
Jacob S. Golladay,	William C. McNary,	James C. Wilmore,
David Griggs,	Andrew Monroe,	Chas. G. Wintersmith—39.

## Those who voted in the negative, were

Granville C. Alfred,	John F. Gaar,	Strother D. Mitchell,
William Bailey,	Thomas R. Givens,	Elijah S. Mitchusson,
Solomon Baker,	William C. Grier,	Robert O. Morgan,
Cleaton Bane,	Grant Green,	Samuel M. Moore,
Joseph H. Barlow,	Norvin Green,	Thomas J. Nash,
James P. Bates,	Samuel Hatfield,	Joseph A. Nevitt,
John S. Boyd,	Charles J. Helm,	Micajah Oglesby,
A. H. Bryan,	Alvin Herndon,	John J. Park,
Issac Burnett,	Thomas Hagins,	Joel W. Sallee,
John Calvert,	Alvin M. Hume,	Isaac N. Shepperd,
Charles G. C. Canby,	James H. Hundley,	James C. Sprigg,
Robert M. Carlisle,	Garland Hurt,	Napoleon B. Stone,
A. D. Cosby,	William G. Jackson,	John J. Thomas,
Hezekiah Cox,	John G. James,	Lawrence S. Trimble,
Jonathan Davis,	Benjamin H. Kerrick,	Thornton Triplett,
Francis U. Dodds,	John B. Laffoon,	Claiborne J. Walton,
James Edelin,	Charles Lee,	William C. Webster,
Price Edrington,	George R. McKee,	Alex. H. Willingham,
David Elms,	William McMillan,	Francis H. Winfrey—58.
Francis Ford,		

And then the House adjourned.

## FRIDAY, NOVEMBER 21, 1851.

A message was received from the Senate, announcing their disagreement to bills from this House, of the following titles, viz:

An act to repeal an act, entitled, an act to regulate the town of Paintsville, and for other purposes, approved March 4, 1850.



An act to amend an act amendatory to an act to incorporate the Lebanon, New Market, and Springfield Turnpike Road Company, approved March 5, 1850.

That they had passed bills from this House, of the following titles, to-wit:

An act to amend the charter of the Covington and Lexington Railroad Company.

An act to change the State road leading from Georgetown to Covington.

An act to change the time of holding Justices quarterly courts in the county of Washington.

An act to change the time of holding the quarterly terms of the Pendleton County Court.

An act amending the charter of the Maysville and Mountsterling Turnpike Road Company.

An act to incorporate the Union and Beaver Turnpike Road Company.

An act to amend the charter of the Union and Florence Turnpike Road Company.

An act to incorporate McClure Chapter, No. 48, of Royal Arch Masons, in Crittenden, Grant county.

With an amendment to the last named bill.

1. Mr. Triplett presented the petition of sundry citizens of Shelby county, praying to be added to the county of Oldham.

2. Mr. Boyd presented the petition of sundry citizens of Nicholas county, praying to be added to the county of Harrison.

3. Mr. McNary presented the remonstrance of Peter Funk, against the charter for a plank road from Louisville to Jeffersontown.

4. Mr. Wilmore presented the petition of the Jessamine bar and officers of the court, praying an increase of the salary of the Circuit Judges.

5. Also, the petition of sundry citizens of said county, praying the passage of a law establishing a normal school for teachers.

6. Mr. Nevitt presented the petition of sundry citizens of Larue county, praying the passage of a law for the benefit of William Thompson.

7. Mr. R. G. Lewis presented the petition of the citizens of Poplar Plains, in Fleming county, praying an extension of the limits of said town.

8. Mr. Trimble presented the petition of the Sheriff of McCracken county, praying further time may be allowed him to pay in his revenue.

9. Mr. J. H. Lewis presented the petition of sundry citizens of Glasgow, praying that the limits of said town may be extended.



10. Mr. Bates presented the remonstrance of sundry citizens adjoining said town, against the extension of the limits of the same.

11. Mr. Monroe presented the petition of Charles Tyler, praying that a patent may issue to him for five hundred acres of land on a Virginia treasury warrant.

12. Mr. Jackson presented the remonstrance of A. Lowell, against the formation of a new county out of parts of Estill, Montgomery, and Clarke.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Triplett, Caldwell, and Sprigg; the 2d, 7th, and 12th, to the committee on Propositions and Grievances; the 3d to the committee on Internal Improvement; the 4th to the committee on Circuit Courts; the 5th to the committee on Education; the 6th and 8th to the committee on Ways and Means; and the 9th, 10th, and 11th, to the committee on the Judiciary.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill to create the office of Police Judge and Marshal in the town of Shepherdsville, reported the same with an amendment, which was concurred in.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Privileges and Elections—1. A bill to change the line in Magistrates' and Constable's district, No. 1, in Lincoln county.

By the committee on the Judiciary—2. A bill for the benefit of the Lancaster and Crab Orchard Turnpike Road Company.

By Mr. Cox—3. A bill to prohibit the giving of spirituous liquors to slaves by peddlers.

By Mr. Bryan—4. A bill to create an additional precinct in each ward in the city of Louisville.

By Mr. Fitch—5. A bill authorizing a special term of the Fleming Circuit Court.

By Mr. Williams—6. A bill for the benefit of Stephen Adams, Deputy Sheriff of Clarke county.

By Mr. Cosby—7. A bill legalizing the proceedings of the Daviess County Court.

By Mr. Nevitt—8. A bill repealing all acts permitting the County Court of Larue county to subscribe stock in Railroads and Turnpike roads.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 4th, 5th, 6th, and 7th, were severally ordered to be engrossed and read a third time; and the 3d and 8th were referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 4th, 5th, 6th, and 7th bills having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Cox moved the following resolution, viz:

*Resolved*, That the committee on Propositions and Grievances be instructed to inquire into the propriety of introducing a bill into this House requiring the Assessors of Tax to report the number of sheep killed by dogs, annually, within the limits of their respective counties.

Which was adopted.

Mr. N. Green read and laid on the table the following preamble and resolution, to-wit:

Whereas, it is now evident that an election of United States Senator cannot be effected at this session of the General Assembly, without an unusual and unwarrantable expenditure of time and treasure; and, whereas, the vacancy in prospect, which said election is designed to fill, will not occur until March 4th, 1853, leaving no regular session of the National Congress between the occurrence of said vacancy and the meeting of the next General Assembly of this Commonwealth; and, whereas, a due respect for the sovereignty of the people demands that, in the present crisis of our national affairs, their representatives to the Senate should enter upon their responsible positions as fresh from their choice as is compatible with the institutions of this Commonwealth. Therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That it is inexpedient to, and that this General Assembly will make no further effort in the business of electing a United States Senator to fill the vacancy which will occur by the expiration of the term of Hon. Joseph R. Underwood on the 4th of March, 1853.

Leave was given to bring in the following bills, viz:

On motion of Mr. Stivers—1. A bill to repeal an act approved February 27, 1847, allowing Otter creek and Stinking creek road one hundred and fifty dollars per year, to be paid out of the toll on the Wilderness Turnpike road.

On motion of Mr. Monroe—2. A bill to regulate the duties and responsibilities of Insurance Companies.

On motion of Mr. Wilmore—3. A bill for the benefit of Joseph Curd, of Jessamine county.

On motion of Mr. S. M. Moore—4. A bill authorizing the Sheriff of Kenton when he levies on real estate in, or in the immediate vicinity of Covington, to sell the same at the door of the city hall in said city.

On motion of Mr. Musselman—5. A bill to incorporate St. Joseph's Orphan's Society, in the city of Louisville.

On motion of Mr. Johnson—6. A bill to amend the road laws in the county of Mason.

On motion of Mr. Hagins—7. A bill allowing John Wells, of Breathitt county, to build a slope to his mill dam across Troublesome creek.

On motion of Mr. Givens—8. A bill to incorporate Lodge No. 168, of Free and Accepted Masons, in the town of Caseyville.

On motion of same—9. A bill for the benefit of John Bell.

*Ordered*, That Messrs. Stivers, Hundley, and Haley, prepare and bring in the 1st; Messrs. Monroe, Marshall, and McHenry, the 2d; Messrs. Wilmore, Anderson, and Stone, the 3d; the committee on the Judiciary, the 4th; Messrs. Musselman, Monroe, Fitch, and Craig, the 5th; Messrs. Johnson, Keith, and Mitchell, the 6th; the committee on Internal Improvement, the 7th; Messrs. Givens, Craig, and G. Green, the 8th; and Messrs. Givens, Ford, and G. Green, the 9th.

Mr. Sprigg moved the following resolution, viz :

*Resolved*, That the petition from the citizens of Shelby county be referred to the committee on the Judiciary, with instructions to inquire into the existing force and effect of the 22d, 23d, and 24th sections of the act, entitled, "an act to incorporate the Shelby Railroad Company;" and to inquire into the existing force and effect of any parts of said act which authorizes the County Court of Shelby to take the vote of the people of that county as to the propriety of taking stock in railroads, turnpikes, and plank roads; and if the committee ascertain that such parts of said act above referred to, have now no force and effect, they are hereby instructed to make their report accordingly.

Which was adopted.

Mr. Davis moved the following resolution, viz :

*Resolved*, That Dr. Edmund P. O'Neill be permitted to deliver lectures on the subject of Hydropathy, in connection with the laws of life and the cause and preventive of disease, in the Legislative Hall, on the evening of each Monday in the month of December next, if not otherwise occupied.

On motion of Mr. Webster,

*Ordered*, That said resolution be laid on the table.

Bills from the Senate, of the following titles, viz :

1. An act to incorporate the Polish House of Israel.
2. An act to amend the charter of the Southern Bank of Kentucky.
3. An act to allow the County Court of Franklin to subscribe stock in turnpikes, and for other purposes.

4. An act to amend an act, entitled, an act to incorporate the Georgetown and Lemon's Mill Turnpike Road Company, approved 24th March, 1851.

5. An act allowing appeals from orders of County Courts fixing ferry rates.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st and 5th were referred to the committee on the Judiciary; the 2d to the committee on Banks; the 3d to the committee on Internal Improvement; and the 4th was ordered to be read the third time.

The rule of the House, constitutional provision, and third reading of the 4th bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the committee on Internal Improvement report the 3d bill to this House on to-morrow, at 11 o'clock, A. M.

And then the House adjourned.

#### SATURDAY, NOVEMBER 22, 1851.

1. Mr. McNary presented the petition of sundry citizens of Jefferson-town, in Jefferson county, praying that the President and Directors of the Louisville and Taylorsville Turnpike Company may be permitted to erect a toll gate near said town.

2. Mr. Kerrick presented the memorial of the Louisville and Elizabethtown Turnpike Road Company, praying sundry amendments to their charter.

3. Mr. Boyd presented the petition of sundry citizens of Harrison county, praying permission for William Garrard to build a fish trap across Main Licking.



4. Mr. Haley presented the petition of sundry citizens of Rockcastle county, praying an appropriation in aid of the Colonization Society.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Internal Improvement; the 3d to the committee on Propositions and Grievances; and the 4th to the committee on Ways and Means.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act allowing appeals from orders of County Courts fixing ferry rates, reported the same without amendment.

Mr. Helm proposed an amendment to said bill.

*Ordered*, That said bill and amendment be referred to Messrs. Helm, S. M. Moore, Burnam, and N. Green.

Mr. McNary, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to allow the County Court of Franklin to subscribe stock in turnpikes, and for other purposes, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz :

An act to repeal an act to authorize the County Courts of Nelson and Barren counties to subscribe stock in the Louisville and Nashville Railroad Company, approved 15th March, 1851.

An act to require the County Court of Bourbon county to subscribe to the stock of the Covington and Lexington Railroad Company.

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

Mr. McKee, from the same committee, to whom was referred leave to bring in a bill requiring all persons claiming land lying within this commonwealth to establish their title or enter suit for the same within a limited period, and to record their title in the clerk's office in the county in which the land lies, asked to be discharged from the further consideration of the same, which was granted.

Mr. McKee, from the same committee, to whom was referred a resolution directing them to inquire into the expediency and constitutionality

of repealing all laws districting counties in general elections, reported the same with the following resolution, viz :

*Resolved*, That it is inexpedient to legislate on said subject.

Which was concurred in.

The following bills were reported by the committee on the Judiciary, to-wit :

A bill to incorporate the town of Eminence.

A bill to amend an act, entitled, an act incorporating the town of Livermore, in Ohio county, and for other purposes.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by Mr. MERIWETHER, Secretary of State, announcing that he had approved and signed enrolled bills and resolutions, which originated in this House, of the following titles, viz :

An act for the benefit of Samuel Haycraft.

An act to change the place of voting in district No. 6, in Knox county.

An act to change the place of voting in the 2d district, in Meade county.

An act for the benefit of John Elliott, and Mary Ann Elliott, his wife, of Fleming county.

An act to incorporate the Trustees of Centre Point Meeting House, in Monroe county.

An act embodying into one the several acts, and amending the road law of Campbell county.

An act to provide for surveying and re-marking the dividing line between Barren and Edmonson counties.

An act for the benefit of George Dunn, Jailer of McCracken county.

An act to incorporate Boyle Lodge, No. 56, I. O. O. F., at Perryville.

An act to authorize a change in the state road leading from the Tennessee river to Columbus.

An act to amend the act incorporating the Maysville and Mount Sterling Turnpike Road Company.

An act to extend the provisions of an act, entitled, an act regulating the price of taking up boats on the Ohio river, approved January 29, 1829, to all the navigable streams of this State.

An act vesting the County Court of Owen with power to change the location of a part of the state road leading from Covington to Louisville.

An act to provide for changing the place of voting in the 5th district, and for the erection of an additional civil district and election precinct in Christian county.

An act for the benefit of the stockholders in the Carrolton and Eagle Creek Turnpike Road Company.

Resolution requesting the Superintendent of Public Instruction to make a partial report.

Resolution appointing a joint committee to visit the Deaf and Dumb Asylum at Danville.

Resolution appointing a joint committee to visit the Lunatic Asylum at Lexington.

Resolution appointing a joint committee to visit the Institution for the Education of the Blind at Louisville.

Approved November 18, 1851.

An act for the benefit of the infant children of John Braxdall, jr., deceased.

Approved November 22, 1851.

Mr. Burnam, from the committee on the Judiciary, to whom was referred a bill extending the mechanics lien law to all the counties of this state, reported the same with an amendment, as a substitute for said bill, which was concurred in.

*Ordered*, That said bill, as amended, be referred to a committee of the whole, and made the special order of the day for the 2d day of December next; and that the Public Printer print 150 copies of said bill for the use of the members of the General Assembly.

Mr. S. M. Moore, from the same committee, to whom was referred a bill to authorize a conventional rate of interest of ten per cent. per annum, reported the same with amendments.

*Ordered*, That said bill and amendments be referred to a committee of the whole, and made the special order of the day for the 1st day of December next.

Mr. Burnett, from the committee on Ways and Means, to whom was referred a bill for the benefit of James C. Calhoun, Sheriff of McCracken county, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled,

An act to amend the charter of the Shelbyville and Louisville Turnpike Road Company.

That they had passed bills of the following titles, viz :

An act allowing jurors pay for their services before Justices of the Peace.

An act to amend the charter of the Shelby Railroad Company.

Mr. Troutman, from the committee on Banks, to whom was referred a bill from the Senate, entitled, an act to amend the charter of the Southern Bank of Kentucky, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the election of a Senator in Congress be passed over for the present.

The House then took up the preamble and resolution read and laid on the table on yesterday, by Mr. N. Green.

The said resolution was then amended, to read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the election of a Senator to the Congress of the United States, be and the same is hereby postponed for the present session ; and that an election be held to fill the vacancy occasioned by the expiration of the term of the Hon. Joseph R. Underwood on the first Monday after the next General Assembly shall convene, excluding the Monday on which they assemble, should they assemble on Monday.

Mr. J. H. Lewis moved to amend said resolution, by striking out all after the enacting clause, and insert in lieu thereof the following, viz :

That the further consideration of the election of a United States Senator be postponed till Wednesday next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. J. H. Lewis and Oglesby, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John B. Holladay,	Strother D. Mitchell,
William C. Anderson,	Benjamin F. Hume,	Andrew Monroe,
Charles M. Briggs,	James H. Hundley,	Barnett C. Moran,
Joshua F. Bullitt,	William G. Jackson,	William F. Moore,
Curtis F. Burnam,	John G. James,	Birch Musselman,
James L. Caldwell,	Henry S. Johnson,	William T. Samuels,
Edwin S. Craig,	Alfred M. Jones,	Elijah G. Seabee,
Ellis Duncan,	John A. Keith,	Green Sterett,
Christian Engleman,	Benjamin H. Kerrick,	Daniel B. Stivers,
Elisha S. Fitch,	John J. Landrum,	Joshua H. Thomas,
Francis Ford,	Joseph H. Lewis,	Francis Troutman,



Thomas R. Givens,	Robert G. Lewis,	Drury Tye,
Jacob S. Golladay,	Opie J. Lindsay,	John S. Williams,
David Griggs,	Thomas F. Marshall,	Francis H. Winfrey,
John J. Haley,	Henry D. McHenry,	Chas. G. Wintersmith—47.
Thomas R. Harman,	William C. McNary,	

Those who voted in the negative, were

William Bailey,	Price Edrington,	Samuel M. Moore,
Solomon Baker,	David Elms,	Thomas J. Nash,
Cleaton Bane,	John F. Gaar,	Joseph A. Nevitt,
Joseph H. Barlow,	William C. Grier,	Micajah Oglesby,
James P. Bates,	Grant Green,	John J. Park,
John S. Boyd,	Norvin Green,	Joel W. Sallee,
A. H. Bryan,	Samuel Hatfield,	Isaac N. Shepperd,
Isaac Burnett,	Charles J. Helm,	James C. Sprigg,
John Calvert,	Alvin Herndon,	Napoleon B. Stone,
Charles G. C. Canby,	Thomas Hagins,	John J. Thomas,
Robert M. Carlisle,	Alvin M. Hume,	Lawrence S. Trimble,
A. D. Cosby,	Garland Hurt,	Thornton Triplett,
Hezekiah Cox,	John B. Laffoon,	Claiborne J. Walton,
Jonathan Davis,	William McMillan,	William C. Webster,
Francis U. Dodds,	Elijah S. Mitchusson,	Alex. H. Willingham,
James Edelin,	Robert O. Morgan,	James C. Wilmore—48.

Mr. Wilmore moved a reconsideration of the vote refusing to adopt said amendment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. J. H. Lewis and Anderson, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Thomas R. Harman,	William C. McNary,
William C. Anderson,	John B. Holladay,	Strother D. Mitchell,
Charles M. Briggs,	Benjamin F. Hume,	Andrew Monroe,
Joshua F. Bullitt,	James H. Hundley,	Barnett C. Moran,
Curtis F. Burnam,	William G. Jackson,	William F. Moore,
James L. Caldwell,	John G. James,	Birch Musselman,
A. D. Cosby,	Henry S. Johnson,	William T. Samuels,
Edwin S. Craig,	Alfred M. Jones,	Elijah G. Sebre,
Ellis Duncan,	John A. Keith,	Green Sterett,
Christian Engleman,	Benjamin H. Kerrick,	Daniel B. Stivers,
Elisha S. Fitch,	John J. Landrum,	Joshua H. Thomas,
Francis Ford,	Joseph H. Lewis,	Francis Troutman,
Thomas R. Givens,	Robert G. Lewis,	Drury Tye,
Jacob S. Golladay,	Opie J. Lindsay,	John S. Williams,
David Griggs,	Thomas F. Marshall,	James C. Wilmore,
John J. Haley,	Henry D. McHenry,	Chas. G. Wintersmith—48.

Those who voted in the negative, were

William Bailey,	David Elms,	Samuel M. Moore,
Solomon Baker,	John F. Gaar,	Thomas J. Nash,
Cleaton Bane,	William C. Grier,	Joseph A. Nevitt,

Joseph H. Barlow,	Grant Green,	Micajah Oglesby,
James P. Bates,	Norvin Green,	John J. Park,
John S. Boyd,	Samuel Hatfield,	Joel W. Sallee,
A. H. Bryan,	Charles J. Helm,	Isaac N. Shepperd,
Isaac Burnett,	Alvin Herndon,	James C. Sprigg,
John Calvert,	Thomas Hagins,	Napoleon B. Stone,
Charles G. C. Canby,	Alvin M. Hume,	John J. Thomas,
Robert M. Carlisle,	Garland Hurt,	Lawrence S. Trimble,
Hezekiah Cox,	John B. Laffoon,	Thornton Triplett,
Jonathan Davis,	George R. McKee,	Claiborne J. Walton,
Francis U. Dodds,	William McMillan,	William C. Webster,
James Edelin,	Elijah S. Mitchusson,	Alex. H. Willingham,
Price Edrington,	Robert O. Morgan,	Francis H. Winfrey—48.

At fifteen minutes after 1 o'clock, P. M., Mr. Bullitt moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Monroe and W. F. Moore, were as follows, viz:

Those who voted in the affirmative, were

Mr. (Speaker) Robertson,	Thomas R. Harman,	Andrew Monroe,
William C. Anderson,	John B. Holladay,	Barnett C. Moran,
Charles M. Briggs,	Benjamin F. Hume,	William F. Moore,
Joshua F. Bullitt,	James H. Hundley,	Birch Musselman,
Curtis F. Burnam,	William G. Jackson,	William T. Samuels,
James L. Caldwell,	John G. James,	Elijah G. Seabee,
Edwin S. Craig,	Henry S. Johnson,	Daniel B. Stivers,
Ellis Duncan,	John A. Keith,	Joshua H. Thomas,
Christian Engleman,	Benjamin H. Kerrick,	Francis Troutman,
Elisha S. Fitch,	John J. Landrum,	Drury Tye,
Francis Ford,	Robert G. Lewis,	John S. Williams,
Thomas R. Givens,	Opie J. Lindsay,	James C. Wilmore,
Jacob S. Golladay,	Henry D. McHenry,	Francis H. Winfrey,
David Griggs,	William C. McNary,	Chas. G. Wintersmith—44.
John J. Haley,	Strother D. Mitchell,	

Those who voted in the negative, were

William Bailey,	John F. Gaar,	Samuel M. Moore,
Solomon Baker,	William C. Grier,	Thomas J. Nash,
Cleaton Bane,	Grant Green,	Joseph A. Nevitt,
Joseph H. Barlow,	Norvin Green,	Micajah Oglesby,
James P. Bates,	Samuel Hatfield,	John J. Park,
John S. Boyd,	Charles J. Helm,	Joel W. Sallee,
A. H. Bryan,	Alvin Herndon,	Isaac N. Shepperd,
Issac Burnett,	Thomas Hagins,	James C. Sprigg,
John Calvert,	Alvin M. Hume,	Green Sterett,
Charles G. C. Canby,	Garland Hurt,	Napoleon B. Stone,
Robert M. Carlisle,	Alfred M. Jones,	John J. Thomas,
Hezekiah Cox,	John B. Laffoon,	Lawrence S. Trimble,
Jonathan Davis,	Joseph H. Lewis,	Thornton Triplett,
Francis U. Dodds,	Thomas F. Marshall,	Claiborne J. Walton,
James Edelin,	William McMillan,	William C. Webster,
Price Edrington,	Elijah S. Mitchusson,	Alex. H. Willingham—50.
David Elms,	Robert O. Morgan,	

Mr. Anderson moved to lay said resolution on the table.

And the question, being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Mitchell and Willingham, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Thomas R. Harman,	Barnett C. Moran,
William C. Anderson,	John B. Holladay,	William F. Moore,
Charles M. Briggs,	Benjamin F. Hume,	Birch Musselman,
Joshua F. Bullitt,	James H. Hundley,	William T. Samuels,
Curtis F. Burnam,	William G. Jackson,	Elijah G. Seabee,
James L. Caldwell,	John G. James,	Isaac N. Shepperd,
A. D. Cosby,	Henry S. Johnson,	Greene Sterett,
Edwin S. Craig,	Alfred M. Jones,	Daric B. Stivers,
Ellis Duncan,	John A. Keith,	Napoleon B. Stone,
Christian Engleman,	Benjamin H. Kerrick,	Joshua H. Thomas,
Elisha S. Fitch,	John J. Landrum,	Francis Troutman,
Francis Ford,	Robert G. Lewis,	Drury Tye,
Thomas R. Givens,	Opie J. Lindsay,	John S. Williams,
Jacob S. Golladay,	Henry D. McHenry,	James C. Wilmore,
David Griggs,	William C. McNary,	Francis H. Winfrey—47,
John J. Haley,	Strother D. Mitchell,	

Those who voted in the negative, were

William Bailey,	David Elms,	Andrew Monroe,
Solomon Baker,	John F. Gaar,	Robert O. Morgan,
Cleaton Bane,	William C. Grier,	Samuel M. Moore,
Joseph H. Barlow,	Grant Green,	Thomas J. Nash,
James P. Bates,	Norvin Green,	Joseph A. Nevitt,
John S. Boyd,	Samuel Hatfield,	Micajah Oglesby,
A. H. Bryan,	Charles J. Helm,	John J. Park,
Isaac Burnett,	Alvin Herndon,	Joel W. Sallee,
John Calvert,	Thomas Hagins,	James C. Sprigg,
Charles G. C. Canby,	Alvin M. Hume,	John J. Thomas,
Robert M. Carlisle,	Garland Hurt,	Lawrence S. Trimble,
Hezekiah Cox,	John B. Laffoon,	Thornton Triplett,
Jonathan Davis,	Joseph H. Lewis,	Claiborne J. Walton,
Francis U. Dodds,	Thomas F. Marshall,	William C. Webster,
James Edelin,	William McMillan,	Alex. H. Willingham,
Price Edrington,	Elijah S. Mitchusson,	Chas. G. Wintersmith—48.

Mr. Bullitt moved to amend said resolution, by striking out all after the enacting clause, and inserting in lieu thereof the following, viz :

That the election of United States Senator be postponed till Wednesday, the 3d day of December next.

And then the House adjourned.

MONDAY, NOVEMBER 24, 1851.

The Speaker laid before the House a communication from the Commissioners to revise the Statute Laws of Kentucky, which is as follows, to-wit:

FRANKFORT, November, 1851.

HON. GEORGE ROBERTSON,

*Speaker of the House of Representatives:*

SIR: You will please to lay before the House of Representatives the accompanying report of the commissioners selected to revise and arrange the statute laws, civil and criminal, of Kentucky.

We have had printed, in bill form, and have directed the public printer to furnish each member of the legislature with a copy of the report.

Respectfully, yours,

C. A. WICKLIFFE,  
SQUIRE TURNER,  
S. S. NICHOLAS.

*Ordered,* That the report of the labors of said commissioners be referred to the committee on Revised Statutes; and that the Public Printer forthwith print 150 copies thereof for the use of the members of the General Assembly.

Mr. Sebree, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in the Senate, of the following titles, and had found the same truly enrolled, to-wit:

An act for the benefit of the Sheriff of Ohio county.

An act to prescribe the term of office for the inferior officers of this Commonwealth.

An act to incorporate Friendship Lodge, No. 5, I. O. O. F., at Lexington, Kentucky.

An act to amend and reduce into one the several acts concerning private passways in Mercer county.

An act to change the time of holding the quarterly courts of the Presiding Judge in Russell county.

And bills which originated in this House, of the following titles, to-wit:

An act to change the time of holding the quarterly terms of the Pendleton County Court.

An act to change the time of holding Justices' quarterly courts in the county of Washington.



An act to change the place of voting in Caldwell county, in district No. 4.

An act to incorporate Mason Lodge, No. 33, I. O. O. F.

An act declaring Jenny's creek and Greasy creek navigable streams.

An act to amend an act, entitled, an act to incorporate Odd Fellows Hall, of Newport, Kentucky, approved February 25, 1848.

An act amending the charter of the Maysville and Mountsterling Turnpike Road Company.

An act to change the State road leading from Georgetown to Covington.

An act to authorize the Crittenden County Court to change the State road to Flynn's ferry.

An act to amend an act, entitled, an act to incorporate the Lexington and Big Sandy Railroad Company.

An act to incorporate Mangum Lodge, No. 21, I. O. O. F.

An act to amend the charter of the Covington and Lexington Railroad Company.

An act to amend the charter of the Union and Florence Turnpike Road Company.

An act to incorporate the Union and Beaver Turnpike Road Company.

An act to divide district No. 4, in Trigg county.

An act incorporating the State Medical Society.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Sebree inform the Senate thereof.

On motion of Mr. Edelin,

*Ordered*, That the Journal of the 18th instant be corrected, in stating that he voted in the negative on the adoption of the resolution of the committee on the Judiciary rejecting sundry petitions to increase the salary of Circuit Judges, he having voted in the affirmative.

Mr. McKee presented the petition of Thomas N. Lindsey, in relation to the estate of James Burns, deceased, which was received, the reading dispensed with, and referred to the committee on the Judiciary.

On motion of Mr. Wintersmith,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill for the benefit of Ann Ferguson, and others, and that the same be referred to the committee on the Judiciary.

Mr. Burnam, from the committee on Education, to whom was referred leave to bring in the following bills, viz:

A bill prohibiting physicians from practicing medicine in this state who have not a diploma or certificate from a Board of Examiners appointed for the county in which he resides.

A bill for the benefit of the trustees of Common School districts, Nos. 27, 55, and 56, in Washington county.

Asked to be discharged from the further consideration of the same, which was granted.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled,

An act to authorize Constables in the city of Covington to appoint deputies.

That they had passed bills from this House, of the following titles, to-wit:

An act to incorporate the Estill Springs Company.

An act to create the office of Police Judge and Marshal in the town of Shepherdsville.

An act to incorporate the Versailles Fire, Life, and Marine Insurance Company.

An act incorporating the Newport and Cincinnati Bridge Company.

An act for the benefit of the mechanics in Monroe county.

With amendments to the four last named bills.

That they had passed a bill, entitled,

An act to amend an act, approved March 24, 1851, entitled, an act to regulate elections.

And a resolution in relation to the Revised Statutes.

And had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorizing the County Court of Bracken to lay the county levy at the November term, 1851. Approved November 17, 1851.

An act regulating changes of venue from County Courts.

Approved November 19, 1851.

The resolution from the Senate in relation to the Revised Statutes was taken up, twice read, and concurred in.

A message was received from the Governor, by Mr. MERIWETHER, Secretary of State, which is as follows, viz:

EXECUTIVE DEPARTMENT,  
November 24, 1851. }

*Gentlemen of the Senate  
and House of Representatives:*

In accordance with a request of the convention of the friends of education, held in the city of Frankfort on the 12th inst., I herewith transmit to the General Assembly a copy of the resolutions adopted by the convention.

L. W. POWELL.

Resolutions adopted by a convention of the friends of public education in Kentucky, viz:

1. It is the sense of this convention that a school quarter consists of twelve weeks; a school week of five days, and a school day of six, or, at most, seven hours, divided into two daily sessions.

2. That a course of good common school instruction should contemplate a thorough knowledge of spelling, reading, writing, geography with maps, arithmetic, the history of the United States, English grammar, in its elementary principles, including composition, and the elements of general history.

3. That the above named order is that in which these branches should be taught; pursuing, however, as many of them at one time as is permitted by the capacity or the advancement of the pupils.

4. That a committee of five persons be appointed to examine and recommend a spelling book, reading books, and a school dictionary; another committee of five persons to examine and recommend a school geography and grammar; and a third committee of five persons to examine and recommend an arithmetic, a history of the United States, and a work or works on general history. These committees shall report to the convention of the friends of education in Kentucky at its next annual meeting.

5. That it is exceedingly important to the interests of common school education that special attention be paid to the proper construction and location of school houses, having in view the health and comfort of children at school; and in this view it should be held indispensable to have the house well ventilated, sufficiently warm in winter and sheltered from the sun in summer, provided with seats and desks adapted to the comfort of children of the different ages, and, so far as possible, with pleasant play grounds; in short, to render the school house a place as attractive as possible to children.

6. That the interest of education would be greatly promoted by increasing the duration of the district schools to a period of six months, annually, instead of three months, as now required by law. The mode of doing this, which seems to be the best under the actual circumstances of the country, is to graduate, by law, the yearly state allowance to the schools according to the time they are taught, making six months the maximum, and three months the minimum.

7. That teachers, and others specially interested in education in Kentucky, be advised to form an educational association at each county seat, to the end, that, by combined action and united experience, the details of a more general system of education for the state may be perfected, such as time and experience may show to be adapted to the peculiarities of our people.

8. That the system of general education ought ultimately to embrace a higher grade of schools than the district schools; so that those who have passed successfully through the latter may enjoy the greater advantages to be furnished by the former schools.

9. That adequate provision should be made for training teachers for the common schools of the state—either by the establishment of a general normal school or otherwise—and that the friends of common school education are advised to petition the legislature to take immediate steps towards the accomplishment of this important object.



10. That the Bible should be introduced and used in all schools; respect being had, however, to the conscientious objections of parents and guardians.

11. That the cause of general education in this commonwealth ought to be urged forward under the fostering care of the state, at whatever cost of money may be necessary to its economical but complete establishment and support.

*Resolved*, That a convention of the friends of education be held in Louisville on the last Wednesday of August, 1852.

*Resolved*, That the proceedings of this convention be signed by the chairman and secretary, and be published; and that the chairman of the convention be asked to communicate a copy of the series of resolutions adopted to the governor of the commonwealth, with the request that he will, if he deem it proper, lay them before the legislature.

*Ordered*, That said message be referred to the committee on Education.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Education—1. A bill incorporating the People's Hydropathic, Literary, and American Reform College, of Kentucky.

By same—2. A bill for the benefit of school district, No. 21, in Callo-way county, and No. 37, in Hardin county.

By same—3. A bill changing the acts concerning the school ages of children.

By Mr. Wilmore—4. A bill for the benefit of Joseph Curd, of Jessamine county.

By Mr. G. Green—5. A bill to amend an act, entitled, an act to prevent the wanton destruction of fish.

By Mr. S. M. Moore—6. A bill to exempt the homestead and personal property from sale under execution, &c.

By Mr. Ford—7. A bill for the benefit of John Bell, jr.

By Mr. Craig—8. A bill to incorporate Caseyville Lodge, No. 168, of Free and Accepted Masons.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, and 4th, were severally ordered to be engrossed and read a third time; the 3d was referred to the committee on Revised Statutes; the 5th to the committee on Propositions and Grievances; the 6th and 8th to the committee on the Judiciary; and the 7th to the committee on Internal Improvement.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, and 4th bills having been dispensed with, and the same being engrossed,



*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the Public Printer forthwith print 150 copies of the 6th bill for the use of the members of the General Assembly.

A bill from the Senate, entitled, an act to amend the charter of the Shelby Railroad Company, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

*Ordered*, That said bill be referred to the committee on Internal Improvement.

On motion of Mr. Cox,

*Ordered*, That the committee on Propositions and Grievances be discharged from the further consideration of the resolution moved by him on Friday last, in relation to the number of sheep killed by dogs, and that the same be referred to the committee on Revised Statutes.

Mr. Cox moved the following resolution, viz :

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of reporting a bill to this house to submit to the court of appeals, for the opinion of said court, as to the constitutionality of that part of an act, entitled, an act to apportion representation, approved March 8th, 1851, which relates to the seventh district, and especially to that part of said act which gives to Shelby county two representatives, and to the counties of Carroll and Trimble only one representative.

And the question being taken on adopting said resolution, it was decided in the negative, and so the said resolution was rejected.

Leave was given to bring in the following bills, viz :

On motion of Mr. Troutman—1. A bill to amend the usury laws.

On motion of Mr. Helm—2. A bill authorizing the County Court of Campbell to establish other ferries at Newport.

On motion of Mr. Cox—3. A bill to change the time of holding courts in the 8th judicial district.

On motion of Mr. Jackson—4. A bill to incorporate Proctor Division, No. 205, Sons of Temperance, at Proctor, Owsley county.

On motion of Mr. R. G. Lewis—5. A bill to regulate the settlements of guardians with the county courts.

On motion of Mr. Monroe—6. A bill for the benefit of Kean O'Hara.

On motion of Mr. McKee—7. A bill to regulate the time of holding courts in the 12th judicial district.

On motion of Mr. G. Green—8. A bill to authorize the clerk of the Henderson County Court to transcribe and index certain records in his office.

On motion of Mr. Hurt—9. A bill to provide for a geological survey of the state.

On motion of Mr. W. F. Moore—10. A bill to change the time of holding the Lawrence and Carter Circuit Courts.

On motion of same—11. A bill declaring Griffey's creek, in Lawrence county, navigable.

On motion of Mr. Trimble—12. A bill authorizing appeals and writs of error in criminal cases.

On motion of Mr. Mitchell—13. A bill to amend an act incorporating the town of Mountsterling.

On motion of Mr. Hagins—14. A bill giving the right of appeal to either party in all cases from Justices of the Peace.

On motion of Mr. Triplett—15. A bill to change the time of holding the Court of Claims in Oldham county.

On motion of Mr. McHenry—16. A bill to change the time of holding the Circuit Courts in the counties of Ohio, Daviess, and Muhlenburg, and to authorize the Daviess Circuit Court at their chancery term to try criminal causes.

On motion of Mr. Caldwell—17. A bill to amend the act incorporating the town of Clay Village, in Shelby county.

On motion of Mr. Webster—18. A bill to incorporate Pitman Lodge, No. 124, of Free and Accepted Masons, in the town of Campbellsville.

*Ordered*, That Messrs. Troutman, Burnam, and Fitch, prepare and bring in the 1st; the committee on Propositions and Grievances, the 2d and 6th; Messrs. Cox, S. M. Moore, N. Green, Triplett, Canby, Landrum, Calvert, Lindsay, and Carlisle, the 3d; Messrs. Jackson, Mitchell, and Stivers, the 4th; the committee on County Courts, the 5th and 14th; Messrs. McKee, Burnam, Tye, Stivers, and Hurt, the 7th; Messrs. G. Green, Helm, and Samuels, the 8th; the committee on the Judiciary, the 9th, 13th, and 16th; Messrs. W. F. Moore, Burnam, N. Green, and Troutman, the 10th; Messrs. W. F. Moore, Canby, Landrum, and Hurt, the 11th; the committee on Revised Statutes, the 12th; Messrs. Triplett, Trimble, and S. M. Moore, the 15th; Messrs. Caldwell, Sprigg, and Burnett, the 17th; and Messrs. Webster, Wintersmith, and Craig, the 18th.

Mr. McNary moved the following resolution, viz:

*Resolved*, That the committee on County Courts be instructed to inquire into the propriety of requiring magistrates to give bond and security for all moneys paid into their offices.

Bills from the Senate, of the following titles, viz:

1. An act allowing jurors pay for their services before Justices of the Peace.

2. An act to amend an act, approved March 24, 1851, entitled, an act to regulate elections.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was referred to the committee on the Judiciary; and the 2d to the committee on Privileges and Elections.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to authorize the Judge of the Boyle County Court to sell a portion of the court house lot.

An act to incorporate the Rough Creek Navigation and Manufacturing Company.

An act to provide for the better regulation and support of the public schools in the city of Newport.

An act to establish the town of Duncansville.

An act to empower the Trustees of Williamsburg to sell a portion of a street in said town.

An act for the benefit of the late Clerks of the Circuit and County Courts.

An act to incorporate McClure Chapter, No. 48, of Royal Arch Masons, in Crittenden, Grant county.

An act to incorporate the Versailles, Fire, Life, and Marine Insurance Company.

An act for the benefit of the mechanics in Monroe county.

Were taken up, twice read, and concurred in.

*Ordered*, That the amendment proposed by the Senate, to a bill from this House, entitled, an act to regulate the duties of jailers relative to runaway slaves, be referred to the committee on Revised Statutes.

The amendments proposed by the Senate, to a bill from this House, entitled, an act for closing up certain old roads in Fleming county, were taken up, twice read, and concurred in, with an amendment.

The amendments proposed by the Senate, to a bill from this House, entitled, an act incorporating the Newport and Cincinnati Bridge Company, were taken up, twice read, and disagreed to.

The House again resumed the consideration of the resolution proposed by Mr. N. Green, and the amendment proposed therefor by Mr. Bullitt.

Mr. Bates moved to lay said resolution and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Wintersmith and Dodds, were as follows, viz:

Those who voted in the affirmative, were

Granville C. Alfred,	Christian Engleman,	William McMillan,
William C. Anderson,	Francis Ford,	Strother D. Mitchell,
William Bailey,	John F. Gaar,	Elijah S. Mitchusson,
Solomon Baker,	Thomas R. Givens,	Robert O. Morgan,
Cleaton Bane,	Jacob S. Golladay,	Samuel M. Moore,
James P. Bates,	William C. Grier,	Thomas J. Nash,
John S. Boyd,	Grant Green,	Joseph A. Nevitt,
A. H. Bryan,	Norvin Green,	Micajah Oglesby,
Issac Burnett,	Samuel Hatfield,	John J. Park,
John Calvert,	Charles J. Helm,	Joel W. Sallee,
Charles G. C. Canby,	Alvin Herndon,	Elijah G. Sebree,
Robert M. Carlisle,	Thomas Hagins,	Isaac N. Shepperd,
A. D. Cosby,	Alvin M. Hume,	Napoleon B. Stone,
Hezekiah Cox,	Benjamin F. Hume,	John J. Thomas,
Jonathan Davis,	Garland Hurt,	Lawrence S. Trimble,
Francis U. Dodds,	William G. Jackson,	Thornton Triplett,
James Edelin,	Alfred M. Jones,	Claiborne J. Walton,
Price Edrington,	John B. Laffoon,	William C. Webster—55.
David Elms,		

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Henry S. Johnson,	Birch Musselman,
Charles M. Briggs,	John A. Keith,	William T. Samuels,
Joshua F. Bullitt,	Benjamin H. Kerrick,	James C. Sprigg,
Curtis F. Burnam,	John J. Landrum,	Green Sterett,
James L. Caldwell,	Joseph H. Lewis,	Daniel B. Stivers,
Edwin S. Craig,	Robert G. Lewis,	Joshua H. Thomas,
Ellis Duncan,	Opie J. Lindsay,	Francis Troutman,
Elisha S. Fitch,	Henry D. McHenry,	Drury Tye,
David Griggs,	George R. McKee,	John S. Williams,
John J. Haley,	William C. McNary,	Alex. H. Willingham,
Thomas R. Harman,	Andrew Monroe,	James C. Wilmore,
John B. Holladay,	Barnett C. Moran,	Francis H. Winfrey,
James H. Hundley,	William F. Moore,	Chas. G. Wintersmith—40.
John G. James,		

And then the House adjourned.



TUESDAY, NOVEMBER 25, 1851.

1. Mr. Kerrick presented the petition of sundry citizens of Jefferson county, praying an appropriation in aid of the Colonization Society.

2. Mr. McKee presented the petition of Andrew Craig, praying the appointment of commissioners to receive and disburse the road funds of Whitley county.

3. Mr. Johnson presented the petition of the County Judge and Justices of the Peace for Mason county, praying a change in the time of holding the Court of Claims.

4. Mr. Davis presented the remonstrance of sundry citizens of Spencer county, against granting a charter for a plank road from Jefferson-town to the city of Louisville.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary; the 2d and 4th to the committee on Internal Improvement; and the 3d to the committee on County Courts.

Mr. Burnam, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to incorporate the Polish House of Israel, reported the same with an amendment, which was concurred in.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnam, from the same committee, to whom was referred bills of the following titles, viz:

A bill to prohibit the giving of spirituous liquors to slaves by peddlers.

A bill repealing all acts permitting the County Court of Larue county to subscribe stock in railroads and turnpike roads.

Reported the same with amendments to each, which were concurred in.

*Ordered*, That said bills, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Burnett, from the committee on Ways and Means, to whom was referred the petition of sundry citizens of Larue county, praying that William Thompson may be permitted to peddle and retail spirituous liquors without license, reported the same with the following resolution, to-wit:

*Resolved*, That said petition be rejected.

Which was concurred in.

Mr. McNary, from the committee on Internal Improvement, to whom was referred a bill for the benefit of John Bell, jr., reported the same with an amendment, which was concurred in.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Jones, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act regulating the time of holding the Green County Court.

An act to appropriate land warrants in the county of Knox.

An act legalizing the election of the Marshal of the town of Independence.

An act to increase and define the powers of the Marshal of the town of Blandville, in Ballard county.

An act to change the time of holding the Christian County Chancery Court.

An act to amend the act, entitled, an act to incorporate the Maysville and Big Sandy Railroad Company, approved December 18, 1850.

An act to amend an act, entitled, an act to incorporate the Trustees of the Kentucky Baptist Education Society, approved January 15, 1829.

An act to amend an act, entitled, an act to incorporate the Georgetown and Lemon's Mill Turnpike Road Company, approved 24th March, 1851.

An act to require the County Court of Bourbon county to subscribe to the stock of the Covington and Lexington Railroad Company.

An act to charter the Louisville and Covington Railroad Company.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Jones inform the Senate thereof.

Mr. Bullitt, from the committee on the Sinking Fund, to whom was referred a bill to amend an act, entitled, an act further to provide for the collection of tolls on Kentucky, Green, and Big Barren rivers, and the amendment proposed thereto, reported the same without amendment.

Mr. McKee moved an amendment to said amendment.

*Ordered*, That said bill and amendments be referred to the committee on the Judiciary.

Mr. Wintersmith, from the committee on Revised Statutes, to whom was referred leave to bring in a bill making it felony for any person to sell land lying in this commonwealth for which he has no title or occupant claim, asked to be discharged from the further consideration of the same, which was granted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Propositions and Grievances—1. A bill authorizing portions of the state road in Kenton county to be closed.

By the committee on the Judiciary—2. A bill declaratory of the power of the city of Lexington to tax Insurance companies and Lottery offices.

By the committee on Internal Improvement—3. A bill to allow the Louisville and Taylorsville Turnpike Company to erect a gate near Jeffersontown.

By same—4. A bill to amend an act, entitled, an act to incorporate the Richmond and Irvine Plank Road Company, approved 25th January, 1851.

By same—5. A bill to amend the charter of the Louisville and Elizabethtown Turnpike Road Company.

By Mr. Musselman—6. A bill to incorporate the St. Joseph's Orphan's Society of Louisville.

By Mr. Webster—7. A bill to incorporate Pitman Lodge, No. 124.

By Mr. W. F. Moore—6. A bill declaring Griffey's creek navigable.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 3d, 4th, 6th, 7th, and 8th, were severally ordered to be engrossed and read a third time; and the 5th was referred to the committee on the Sinking Fund.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 6th, 7th, and 8th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz :

An act to legalize the proceedings of the Daviess County Court.

An act to amend an act, entitled, an act to organize county courts in the several counties, approved March 11, 1851.



That they had passed a bill, entitled,

An act for the benefit of certain school districts in Barren and Monroe counties.

Mr. Fitch moved the following resolution, viz :

*Resolved*, That the committee on the Judiciary be, and they are hereby instructed to inquire into the construction and effect of section twenty of an act, entitled, "an act to organize county courts in the several counties," and whether it is made the duty of the auditor to settle the jury fees in the cases referred to in the second section, or whether such fees should be paid out of the county treasury ; and that said committee report by bill or otherwise.

Which was adopted.

Mr. Landrum read and laid on the table the following resolution, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the secretary of state be and is hereby requested and authorized to furnish each member of the present general assembly with one copy of the seventh census of the United States.

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with,

*Ordered*, That said resolution be referred to the committee on the Library.

Leave was given to bring in the following bills, viz :

On motion of Mr. Canby—1. A bill for the benefit of the trustees of the town of Burlington, in Boone county.

On motion of same—2. A bill allowing the County Court of Boone to change election precincts in said county.

On motion of Mr. Anderson—3. A bill requiring clerks of county courts to record the vouchers in the settlements of accounts of executors, administrators, guardians, &c., when required to do so.

On motion of Mr. Ford—4. A bill to incorporate the town of Marion, in Crittenden county.

On motion of Mr. Landrum—5. A bill further to suppress the retail of ardent spirits on the Sabbath.

On motion of Mr. W. F. Moore—6. A bill for the benefit of D. W. Muney and William B. Small.

On motion of Mr. Hundley—7. A bill requiring all officers before entering upon the duties of their offices to give bond, with approved security, for their good behaviour while in office.

On motion of Mr. Sprigg—8. A bill to incorporate Clay Lodge, No. 38, I. O. O. F.

*Ordered*, That Messrs. Canby, S. M. Moore, and Carlisle, prepare and bring in the 1st and 2d ; the committee on the Judiciary, the 3d, 5th, and



8th; Messrs. Ford, Stone, and J. J. Thomas, the 4th; the committee on Claims, the 6th; and Messrs. Hundley, Sallee, and Grier, the 7th.

Mr. McKee moved the following resolution, viz:

*Resolved*, That the committee on Revised Statutes be instructed to inquire into the expediency of requiring each county to pay for the support of its own idiots out of the county levy.

Which was adopted.

Mr. Willingham moved the following resolution, viz:

Whereas, it was contemplated by the framers of the constitution that the present session of the general assembly would not be necessarily employed more than sixty days; and, whereas, it is our imperative duty to act in conformity with the spirit and letter of the constitution, and meet the approval of our constituents, we should resort to the most rigid rule of economy, both of time and money. Therefore,

*Resolved*, That this house will meet hereafter at half past 9 o'clock, A. M.

Which was adopted.

Mr. Musselman moved the following resolution, viz:

*Resolved*, That when this house adjourns on Wednesday next, it will adjourn until the succeeding Monday.

Mr. Sprigg moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Bates and Trimble, were as follows, viz:

Those who voted in the affirmative, were

Granville C. Alfred,	William C. Grier,	William C. McNary,
William Bailey,	David Griggs,	Strother D. Mitchell,
Cleaton Bane,	Grant Green,	Elijah S. Mitchusson,
Joseph H. Barlow,	Norvin Green,	Robert O. Morgan,
James P. Bates,	Thomas R. Harman,	Samuel M. Moore,
John S. Boyd,	Samuel Hatfield,	William F. Moore,
Charles M. Briggs,	Charles J. Helm,	Thomas J. Nash,
A. H. Bryan,	Alvin Herndon,	Joseph A. Nevitt,
Joshua F. Bullitt,	Thomas Hagins,	Micajah Oglesby,
Isaac Burnett,	John B. Holladay,	John J. Park,
James L. Caldwell,	Alvin M. Hume,	Joel W. Sallee,
John Calvert,	Benjamin F. Hume,	William T. Samuels,
Charles G. C. Canby,	James H. Hundley,	Elijah G. Sebree,
Robert M. Carlisle,	Garland Hurt,	Isaac N. Shepperd,
Willis S. Chaplin,	William G. Jackson,	James C. Sprigg,
A. D. Cosby,	John G. James,	Green Sterett,
Hezekiah Cox,	Henry S. Johnson,	John J. Thomas,
James Edelin,	John A. Keith,	Joshua H. Thomas,
Price Edrington,	Benjamin H. Kerrick,	Lawrence S. Trimble,
David Elms,	John B. Laffoon,	Thornton Triplett,
Christian Engleman,	John J. Landrum,	Drury Tye,
Elisha S. Fitch,	Charles Lee,	Claiborne J. Walton,

Francis Ford,  
John F. Gaar,  
Thomas R. Givens,  
Jacob S. Golladay,

Robert G. Lewis,  
Opie J. Lindsay,  
Henry D. McHenry,  
William McMillan,

Alex. H. Willingham,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—78.

Those who voted in the negative, were

Mr. Speaker, (Robertson,) Ellis Duncan,  
William C. Anderson,  
Curtis F. Burnam,  
Edwin S. Craig,  
Jonathan Davis,  
Francis U. Dodds,

John J. Haley,  
Alfred M. Jones,  
George R. McKee,  
Andrew Monroe,

Barnett C. Moran,  
Birch Musselman,  
David B. Stivers,  
Napoleon B. Stone,  
William C. Webster—16.

The House again proceeded to the election of a Senator in Congress.

Mr. Helm then withdrew the nomination of Mr. Meriwether, and

Mr. Williams withdrew the nomination of Mr. Crittenden.

Mr. Burnett then re-nominated Mr. David Meriwether.

Mr. Bullitt nominated Mr. Humphrey Marshall, and

Mr. Samuels nominated Mr. John L. Helm.

And after interchanging nominations, the House proceeded to take a vote, which stood thus :

Those who voted for Mr. Dixon, were

Mr. Speaker, (Robertson,) Granville C. Alfred,  
William C. Anderson,  
Curtis F. Burnam,  
Willis S. Chaplin,  
A. D. Cosby,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,

John J. Haley,  
Thomas R. Harman,  
John B. Holladay,  
James H. Hundley,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
George R. McKee,  
William C. McNary,  
Strother D. Mitchell,  
Barnett C. Moran,

William F. Moore,  
Elijah G. Seabee,  
Isaac N. Shepperd,  
James C. Sprigg,  
Green Sterett,  
Daniel B. Stivers,  
Napoleon B. Stone,  
Joshua H. Thomas,  
Francis Troutman,  
Drury Tye,  
Francis H. Winfrey—35.

Those who voted for Mr. Marshall, were

Charles M. Briggs,  
Joshua F. Bullitt,  
James L. Caldwell,

Edwin S. Craig,  
John A. Keith,  
Benjamin H. Kerrick,

John J. Landrum,  
Opie J. Lindsay,  
Birch Musselman—9.

Those who voted for Mr. Meriwether, were

William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,

David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,

Elijah S. Mitchusson,  
Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
John J. Thomas,  
Lawrence S. Trimble,

Hezekiah Cox,	Benjamin F. Hume,	Thornton Triplett,
Jonathan Davis,	Garland Hurt,	Claiborne J. Walton,
Francis U. Dodds,	John B. Laffoon,	William C. Webster,
James Edelin,	Charles Lee,	Alex. H. Willingham—44.
Price Edrington,	William McMillan,	

Those who voted for Mr. Helm, were

Ellis Duncan,	Andrew Monroe,	James C. Wilmore,
Robert G. Lewis,	William T. Samuels,	Chas. G. Wintersmith—8.
Henry D. McHenry,	John S. Williams,	

The same committee were appointed to compare the joint vote, and report the result.

After a short time, the committee reported that the joint vote stood thus:

For Mr. Dixon, -	-	-	-	-	-	-	-	-	-	49
For Mr. Marshall, -	-	-	-	-	-	-	-	-	-	9
For Mr. Helm, -	-	-	-	-	-	-	-	-	-	15
For Mr. Meriwether, -	-	-	-	-	-	-	-	-	-	58

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Dixon, were

Mr. Speaker, (Robertson,)	John J. Haley,	Barnett C. Moran,
Granville C. Alfred,	Thomas R. Harman,	William F. Moore,
William C. Anderson,	John B. Holladay,	Elijah G. Seabee,
Curtis F. Burnam,	James H. Hundley,	Isaac N. Shepperd,
Willis S. Chaplin,	William G. Jackson,	Green Sterett,
A. D. Cosby,	John G. James,	Daniel B. Stivers,
Christian Engleman,	Henry S. Johnson,	Napoleon B. Stone,
Elisha S. Fitch,	Alfred M. Jones,	Joshua H. Thomas,
Francis Ford,	Opie J. Lindsay,	Francis Troutman,
Thomas R. Givens,	George R. McKee,	Drury Tye,
Jacob S. Golladay,	William C. McNary,	Francis H. Winfrey—35.
David Griggs,	Strother D. Mitchell,	

Those who voted for Mr. Marshall, were

Charles M. Briggs,	Edwin S. Craig,	John J. Landrum,
Joshua F. Bullitt,	John A. Keith,	Birch Musselman—8.
James L. Caldwell,	Benjamin H. Kerrick,	

Those who voted for Mr. Meriwether, were

William Bailey,	David Elms,	Elijah S. Mitchusson,
Cleaton Bane,	John F. Gaar,	Robert O. Morgan,
Joseph H. Barlow,	William C. Grier,	Samuel M. Moore,
James P. Bates,	Grant Green,	Thomas J. Nash,
John S. Boyd,	Norvin Green,	Joseph A. Nevitt,
A. H. Bryan,	Samuel Hatfield,	Micajah Oglesby,
Isaac Burnett,	Charles J. Helm,	John J. Park,
John Calvert,	Alvin Herndon,	Joel W. Sallee,
Charles G. C. Canby,	Thomas Hagins,	James C. Sprigg,

Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,  
Price Edrington,

Alvin M. Hume,  
Benjamin F. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
William McMillan,

John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—45.

Those who voted for Mr. Helm, were

Ellis Duncan,  
Robert G. Lewis,  
Henry D. McHenry,

Andrew Monroe,  
William T. Samuels,  
John S. Williams,

James C. Wilmore,  
Chas. G. Wintersmith—8.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, the committee reported that the joint vote stood thus :

For Mr. Dixon, -	-	-	-	-	-	-	-	-	48
For Mr. Marshall, -	-	-	-	-	-	-	-	-	8
For Mr. Helm, -	-	-	-	-	-	-	-	-	16
For Mr. Meriwether, -	-	-	-	-	-	-	-	-	59

Mr. Mitchell moved the following resolution, viz :

*Resolved*, That after the next ballot the hindmost candidate be dropped, and so on successively on each ballot until an election is secured.

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Mitchell and Wintersmith, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,  
Joseph H. Barlow,  
Thomas R. Givens,  
Jacob S. Golladay,  
Thomas R. Harman,  
William G. Jackson,  
Henry S. Johnson,  
Alfred M. Jones,

John A. Keith,  
William C. McNary,  
Strother D. Mitchell,  
Elijah S. Mitchusson,  
Barnett C. Moran,  
William F. Moore,  
Micajah Oglesby,

Elijah G. Sebree,  
Green Sterett,  
Daniel B. Stivers,  
John J. Thomas,  
Joshua H. Thomas,  
Francis Troutman,  
Alex. H. Willingham—22.

Those who voted in the negative, were

Mr. Speaker, (Robertson,) William C. Anderson,  
William Bailey,  
Cleaton Bane,  
James P. Bates,  
John S. Boyd,  
Charles M. Briggs,  
A. H. Bryan,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
Isaac Burnett,

David Elms,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
John F. Gaar,  
William C. Grier,  
David Griggs,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,

Henry D. McHenry,  
George R. McKee,  
William McMillan,  
Andrew Monroe,  
Robert O. Morgan,  
Samuel M. Moore,  
Birch Musselman,  
Thomas J. Nash,  
Joseph A. Nevitt,  
John J. Park,  
Joel W. Sallee,



James L. Caldwell,	Alvin Herndon,	William T. Samuels,
John Calvert,	Thomas Hagins,	Isaac N. Shepperd,
Charles G. C. Canby,	John B. Holladay,	James C. Sprigg,
Robert M. Carlisle,	Alvin M. Hume,	Napoleon B. Stone,
Willis S. Chaplin,	Benjamin F. Hume,	Lawrence S. Trimble,
A. D. Cosby,	James H. Hundley,	Thornton Triplett,
Hezekiah Cox,	Garland Hurt,	Drury Tye,
Edwin S. Craig,	John G. James,	Claiborne J. Walton,
Jonathan Davis,	Benjamin H. Kerrick,	William C. Webster,
Francis U. Dodds,	John B. Laffoon,	John S. Williams,
Ellis Duncan,	Charles Lee,	James C. Wilmore,
James Edelin,	Robert G. Lewis,	Francis H. Winfrey,
Price Edrington,	Opie J. Lindsay,	Chas. G. Wintersmith—72.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus :

Those who voted for Mr. Dixon, were

Mr. Speaker, (Robertson,)	John J. Haley,	Barnett C. Moran,
Granville C. Alfred,	John B. Holladay,	Elijah G. Sebree,
Curtis F. Burnam,	William G. Jackson,	Isaac N. Shepperd,
Willis S. Chaplin,	John G. James,	James C. Sprigg,
A. D. Cosby,	Henry S. Johnson,	Green Sterett,
Ellis Duncan,	Alfred M. Jones,	Napoleon B. Stone,
Christian Engleman,	Opie J. Lindsay,	John J. Thomas,
Elisha S. Fitch,	Henry D. McHenry,	Joshua H. Thomas,
Francis Ford,	George R. McKee,	Francis Troutman,
Thomas R. Givens,	William C. McNary,	Drury Tye,
Jacob S. Golladay,	Strother D. Mitchell,	Francis H. Winfrey—34.
David Griggs,		

Those who voted for Mr. Marshall, were

Joshua F. Bullitt,	John A. Keith,	John J. Landrum,
James L. Caldwell,	Benjamin H. Kerrick,	Birch Musselman—7.
Edwin S. Craig,		

Those who voted for Mr. Meriwether, were

William Bailey,	David Elms,	William McMillan,
Cleaton Bane,	John F. Gaar,	Elijah S. Mitchusson,
Joseph H. Barlow,	William C. Grier,	Robert O. Morgan,
James P. Bates,	Grant Green,	Samuel M. Moore,
John S. Boyd,	Norvin Green,	Thomas J. Nash,
A. H. Bryan,	Samuel Hatfield,	Joseph A. Nevitt,
Isaac Burnett,	Charles J. Helm,	Micajah Oglesby,
John Calvert,	Alvin Herndon,	John J. Park,
Charles G. C. Canby,	Thomas Hagins,	Joel W. Sallee,
Robert M. Carlisle,	Alvin M. Hume,	Lawrence S. Trimble,
Hezekiah Cox,	Benjamin F. Hume,	Thornton Triplett,
Jonathan Davis,	Garland Hurt,	Claiborne J. Walton,
Francis U. Dodds,	John B. Laffoon,	William C. Webster,
James Edelin,	Charles Lee,	Alex. H. Willingham—43.
Price Edrington,		

Those who voted for Mr. Helm, were

William C. Anderson,	Andrew Monroe,	James C. Wilmore,
Charles M. Briggs,	William T. Samuels,	Chas. G. Wintersmith—8.
Robert G. Lewis,	John S. Williams,	

Those who voted for Mr. John S. Williams, were

Thomas R. Harman,	William F. Moore—2.
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For Mr. C. M. Clay—Daniel B. Stivers,

For Mr. George R. McKee—James H. Hundley.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, the committee reported that the joint vote stood thus :

For Mr. Dixon, -	-	-	-	-	46
For Mr. Marshall, -	-	-	-	-	7
For Mr. Helm, -	-	-	-	-	16
For Mr. Meriwether, -	-	-	-	-	59
For Mr. John S. Williams, -	-	-	-	-	2
For Mr. George R. McKee, -	-	-	-	-	1
For Mr. Cassius M. Clay, -	-	-	-	-	1

And then the House adjourned.

WEDNESDAY, NOVEMBER 26, 1851.

1. Mr. Stivers presented the petition of sundry citizens of Owsley county, praying a removal of the county seat of said county.
2. Mr. Burnam presented the petition of J. M. Shackelford, praying compensation for transcribing a part of the Revised Statutes.
3. Mr. Triplett presented the petition of sundry citizens of Oldham and Jefferson counties, praying an appropriation in aid of the Colonization Society.

4. Mr. Webster presented the petition of sundry citizens of the town of Campbellsville, praying an amendment to the charter of said town.

5. Mr. Bates presented the petition of sundry citizens of Barren county, praying that Waddy Thompson may be permitted to peddle goods without paying license.

6. Mr. Williams presented the petition of sundry citizens of Clarke county, praying the establishment of a school for teachers.

7. Mr. Monroe presented the petition of sundry citizens of Carroll county, praying an appropriation in aid of the Colonization Society.

8. Mr. S. M. Moore presented the petition of sundry citizens of Kenton county, praying an appropriation in aid of the Colonization Society.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on claims; the 3d, 4th, 7th, and 8th, to the committee on the Judiciary; the 5th to the committee on Ways and Means; and the 6th to the committee on Education.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act for the benefit of common school districts.

That they had passed bills from this House, of the following titles, to-wit:

An act for the benefit of the trustees of the town of Hartford.

An act to legalize the acts of certain officers.

An act to incorporate Campbell Female College, in Campbell county.

An act in relation to Common School district No. 12, in Whitley county.

An act to amend an act, entitled, an act to amend the laws regulating the town of Millersburg, in the county of Bourbon.

An act to create the office of Marshal in the town of Hartford.

An act to change the line in Magistrates' and Constable's district, No. 1, in Lincoln county.

An act for the benefit of the Lancaster and Crab Orchard Turnpike Road Company.

An act to incorporate Forrest Spring College, in Allen county.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to prevent the use of concealed weapons.

An act to amend an act to encourage the general diffusion of education.

An act in relation to the records of the Jefferson County Court.

Mr. Alfred, from the committee on Privileges and Elections, to whom

was referred a bill from the Senate, entitled, an act to amend an act, approved March 24, 1851, regulating elections, reported the same without amendment.

*Ordered*, That said bill be referred to the committee on Revised Statutes.

Mr. Anderson, from the committee on Claims, to whom was referred the petition of Fanny Keeling, reported the same with the following resolution, viz:

*Resolved*, That said petition be rejected.

Which was concurred in.

Mr. Winfrey, from the committee on Propositions and Grievances, to whom was referred a bill to amend an act, entitled, an act to prevent the wanton destruction of fish, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Anderson, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of Mahlon Pruden, and others, reported the same with amendments.

The said bill, as amended, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there be paid out of the public treasury the following sums of money to Mahlon Pruden, for a block of stone cut by him for the Washington monument now erecting in the city of Washington, dollars; to Edgar Needham, who was sent by the Governor from Louisville to Lexington to examine said block, twenty dollars; to William T. Bolles, who was sent by the Governor from Frankfort to Lexington to examine said block, seven dollars and fifty cents.

§ 2. That before said Pruden is paid said sum of \_\_\_\_\_ dollars, allowed him in the first section of this act, he shall execute bond in the Secretary's office, with three or more good securities, to be approved of by the Governor, in the penalty of five thousand two hundred dollars, to deliver said block of stone safe to William Dougherty, Superintendent of the work in erecting said monument, and bring the Secretary the Superintendent's receipt that said block was safely delivered; and on failure to do that, then said bond shall bind said Pruden and securities to refund to the treasury said \_\_\_\_\_ dollars.

The first amendment proposed by the committee on Claims was to fill the blank in said bill with the words "two thousand."

Mr. Willingham moved to amend the amendment, by inserting the words "fifteen hundred."

And the question being taken thereon, it was decided in the affirmative.



The yeas and nays being required thereon, by Messrs. N. Green and Canby, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	John F. Gaar,	William McMillan,
William C. Anderson,	Thomas R. Givens,	Elijah S. Mitchusson,
William Bailey,	Jacob S. Golladay,	Barnett C. Moran,
Solomon Baker,	William C. Grier,	Robert O. Morgan,
Cleaton Bane,	Grant Green,	Samuel M. Moore,
Joseph H. Barlow,	Norvin Green,	Birch Musselman,
John S. Boyd,	Thomas R. Harman,	Thomas J. Nash,
A. H. Bryan,	Samuel Hatfield,	Joseph A. Nevitt,
Joshua F. Bullitt,	Charles J. Helm,	Micajah Oglesby,
Curtis F. Burnam,	Alvin Herndon,	John J. Park,
Isaac Burnett,	Thomas Hagins,	Joel W. Sallee,
James L. Caldwell,	John B. Holladay,	Elijah G. Seabee,
John Calvert,	Alvin M. Hume,	Isaac N. Shepperd,
Charles G. C. Canby,	Benjamin F. Hume,	James C. Sprigg,
Robert M. Carlisle,	James H. Hundley,	Green Sterett,
Willis S. Chaplin,	Henry S. Johnson,	Napoleon B. Stone,
Hezekiah Cox,	Alfred M. Jones,	John J. Thomas,
Edwin S. Craig,	John A. Keith,	Joshua H. Thomas,
Jonathan Davis,	John B. Laffoon,	Lawrence S. Trimble,
Francis U. Dodds,	John J. Landrum,	Francis Troutman,
James Edelin,	Charles Lee,	Drury Tye,
Price Edrington,	Joseph H. Lewis,	Claiborne J. Walton,
David Elms,	Robert G. Lewis,	William C. Webster,
Christian Engleman,	Opie J. Lindsay,	Alex. H. Willingham,
Elisha S. Fitch,	Henry D. McHenry,	James C. Wilmore,
Francis Ford,	George R. McKee,	Francis H. Winfrey—78.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	William G. Jackson,	William F. Moore,
Charles M. Briggs,	John G. James,	William T. Samuels,
A. D. Cosby,	Benjamin H. Kerrick,	Daniel B. Stivers,
David Griggs,	William C. McNary,	Thornton Triplett,
John J. Haley,	Strother D. Mitchell,	John S. Williams—17.
Garland Hurt,	Andrew Monroe,	

The amendment, as amended, was then concurred in.

The second amendment proposed by the committee on Claims was to add to the bill the following, viz :

That there be also paid out of the treasury to Edgar Needham the further sum of seven dollars fifty cents, mileage and attendance, as a witness before the committee on Claims, by order of a resolution of the House of Representatives.

Which was concurred in.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Mr. N. Green moved an amendment to said bill, by adding thereto an engrossed clause, by way of ryder, which is as follows, viz :

That should said Pruden refuse, within twenty days after the approval of this act, to notify the Secretary of State of his acceptance of the appropriation and terms thereof, as a just compensation for the preparation and delivery of said block, as herein specified, then and in that case the Governor is requested to engage some other competent person to prepare and deliver another suitable block, with an appropriate inscription, as soon as practicable, provided the amount of cost and transportation of the same to the city of Washington shall not exceed the sum of one thousand five hundred dollars.

And the question being taken on adopting the same, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	William C. Grier,	Elijah S. Mitchusson,
William C. Anderson,	David Griggs,	Andrew Monroe,
William Bailey,	Grant Green,	Barnett C. Moran,
Solomon Baker,	Norvin Green,	Robert O. Morgan,
Cleaton Bane,	Thomas R. Harman,	Samuel M. Moore,
John S. Boyd,	Charles J. Helm,	Birch Musselman,
A. H. Bryan,	Alvin Herndon,	Thomas J. Nash,
Joshua F. Bullitt,	Thomas Hagins,	Joseph A. Nevitt,
Curtis F. Burnam,	John B. Holladay,	Micajah Oglesby,
Isaac Burnett,	Alvin M. Hume,	John J. Park,
James L. Caldwell,	Benjamin F. Hume,	Joel W. Sallee,
John Calvert,	James H. Hundley,	William T. Samuels,
Charles G. C. Canby,	Garland Hurt,	Elijah G. Seabee,
Robert M. Carlisle,	William G. Jackson,	Isaac N. Shepperd,
Willis S. Chaplin,	Henry S. Johnson,	James C. Sprigg,
A. D. Cosby,	Alfred M. Jones,	Green Sterett,
Hezekiah Cox,	John A. Keith,	Napoleon B. Stone,
Edwin S. Craig,	Benjamin H. Kerrick,	John J. Thomas,
Jonathan Davis,	John B. Laffoon,	Joshua H. Thomas,
Francis U. Dodds,	John J. Landrum,	Lawrence S. Trimble,
James Edelin,	Charles Lee,	Francis Troutman,
Price Edrington,	Joseph H. Lewis,	Drury Tye,
David Elms,	Robert G. Lewis,	Claiborne J. Walton,
Christian Engleman,	Opie J. Lindsay,	William C. Webster,
Elisha S. Fitch,	Henry D. McHenry,	Alex. H. Willingham,
Francis Ford,	George R. McKee,	James C. Wilmore,
John F. Gaar,	William McMillan,	Francis H. Winfrey,
Thomas R. Givens,	William C. McNary,	Chas. G. Wintersmith—86.
Jacob S. Golladay,	Strother D. Mitchell,	

Those who voted in the negative, were

Mr. Speaker (Robertson,)	John G. James,	Daniel B. Stivers,
Joseph H. Barlow,	William F. Moore,	John S. Williams—6.

*Resolved*, That the title thereof be as aforesaid.

Mr. Boyd, from the committee on the Judiciary, to whom was referred a bill to incorporate Caseyville Lodge, No. 168, of Free and Accepted Masons, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Shepperd, from the same committee, to whom was referred leave to bring in a bill to provide for a geological survey of the state, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said leave be referred to the committee on Education.

Mr. Shepperd, from the same committee, to whom was referred leave to bring in a bill to change the time of holding the Circuit Courts in the counties of Ohio, Daviess, and Muhlenburg, and to authorize the Daviess Circuit Court, at their special chancery term, to try criminal causes, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said leave be referred to the committee on Circuit Courts.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Propositions and Grievances—1. A bill authorizing the County Court of Campbell county to establish additional ferries at Newport.

By same—2. A bill to extend the corporate limits of the town of Poplar Plains, in Fleming county.

By the committee on the Judiciary—3. A bill to incorporate the Lexington and Cumberland Railroad Company.

By same—4. A bill to incorporate Clay Lodge, No. 38, I. O. O. F.

By same—5. A bill authorizing sheriffs and commissioners to advertise sales of real estate and slaves in newspapers.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, and 4th, were severally ordered to be engrossed and read a third time; the 3d was referred to the committee on Internal Improvement; and the 5th to the committee on Revised Statutes.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, and 4th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Burnam moved the following resolution, viz :

*Resolved*, That the committee on Education act in conjunction with the committee on Revised Statutes, on so much of the report of the commissioners appointed to revise the civil and criminal laws of this state as refers to education and common schools.

Which was adopted.

Mr. Bullitt moved to pass over the election of a Senator in Congress for the present.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. N. Green and Canby, were as follows, viz:

Those who voted in the affirmative, were

William C. Anderson,	John J. Haley,	George R. McKee,
Charles M. Briggs,	Thomas R. Harman,	William C. McNary,
Joshua F. Bullitt,	John B. Holladay,	Andrew Monroe,
Curtis F. Burnam,	James H. Hundley,	Barnett C. Moran,
James L. Caldwell,	John G. James,	William F. Moore,
Willis S. Chaplin,	Henry S. Johnson,	Birch Musselman,
Edwin S. Craig,	Alfred M. Jones,	William T. Samuels,
Ellis Duncan,	John A. Keith,	Daniel B. Stivers,
David Elms,	Benjamin H. Kerrick,	Francis Troutman,
Christian Engleman,	Joseph H. Lewis,	Drury Tye,
Elisha S. Fitch,	Robert G. Lewis,	John S. Williams,
Thomas R. Givens,	Opie J. Lindsay,	James C. Wilmore,
David Griggs,	Henry D. McHenry,	Chas. G. Wintersmith—39.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	John F. Gaar,	Robert O. Morgan,
Granville C. Alfred,	Jacob S. Golladay,	Samuel M. Moore,
William Bailey,	William C. Grier,	Thomas J. Nash,
Solomon Baker,	Grant Green,	Joseph A. Nevitt,
Cleaton Bane,	Norvin Green,	Micajah Oglesby,
Joseph H. Barlow,	Samuel Hatfield,	John J. Park,
John S. Boyd,	Charles J. Helm,	Joel W. Sallee,
A. H. Bryan,	Alvin Herndon,	Isaac N. Shepperd,
Issac Burnett,	Thomas Hagins,	James C. Sprigg,
John Calvert,	Alvin M. Hume,	Green Sterett,
Charles G. C. Canby,	Benjamin F. Hume,	Napoleon B. Stone,
Robert M. Carlisle,	Garland Hurt,	John J. Thomas,
A. D. Cosby,	William G. Jackson,	Joshua H. Thomas,
Hezekiah Cox,	John B. Laffoon,	Lawrence S. Trimble,
Jonathan Davis,	John J. Landrum,	Thornton Triplett,



Francis U. Dodds,  
James Edelin,  
Price Edrington,  
Francis Ford,

Charles Lee,  
William McMillan,  
Strother D. Mitchell,  
Elijah S. Mitchusson,

Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
Francis H. Winfrey—57.

Mr. McHenry moved a reconsideration of the vote laying on the table the resolution moved by Mr. N. Green, and the amendment proposed thereto by Mr. Bullitt.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. N. Green and Trimble, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)  
Granville C. Alfred,  
William C. Anderson,  
Charles M. Briggs,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
James L. Caldwell,  
Willis S. Chaplin,  
A. D. Cosby,  
Edwin S. Craig,  
Ellis Duncan,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,

John J. Haley,  
Thomas R. Harman,  
John B. Holladay,  
James H. Hundley,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
Henry D. McHenry,  
George R. McKee,  
William C. McNary,

Strother D. Mitchell,  
Andrew Monroe,  
Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
William T. Samuels,  
Elijah G. Seabee,  
Green Sterett,  
Daniel B. Stivers,  
Joshua H. Thomas,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—50.

Those who voted in the negative, were

William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,  
Price Edrington,

David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Benjamin F. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
William McMillan,  
Elijah S. Mitchusson,

Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
Isaac N. Shepperd,  
James C. Sprigg,  
Napoleon B. Stone,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—48.

The amendment of Mr. Bullitt was then amended, by striking out the 3d of December, and inserting in lieu thereof the 11th of December.

Mr. Jackson moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The question was first taken on the adoption of the amendment proposed by Mr. Bullitt, as a substitute for said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. McHenry and Anderson, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker (Robertson),	John J. Haley,	William C. McNary,
Granville C. Alfred,	Thomas R. Harman,	Strother D. Mitchell,
William C. Anderson,	John B. Holladay,	Andrew Monroe,
Charles M. Briggs,	Benjamin F. Hume,	Barnett C. Moran,
Joshua F. Bullitt,	James H. Hundley,	William F. Moore,
Curtis F. Burnam,	William G. Jackson,	Birch Musselman,
James L. Caldwell,	John G. James,	William T. Samuels,
Willis S. Chaplin,	Henry S. Johnson,	Elijah G. Sebree,
A. D. Cosby,	Alfred M. Jones,	Green Sterett,
Edwin S. Craig,	John A. Keith,	Daniel B. Stivers,
Ellis Duncan,	Benjamin H. Kerrick,	Joshua H. Thomas,
Christian Engleman,	John J. Landrum,	Francis Troutman,
Elisha S. Fitch,	Joseph H. Lewis,	Drury Tye,
Francis Ford,	Robert G. Lewis,	John S. Williams,
Thomas R. Givens,	Opie J. Lindsay,	James C. Wilmore,
Jacob S. Golladay,	Henry D. McHenry,	Chas. G. Wintersmith—50.
David Griggs,	George R. McKee,	

Those who voted in the negative, were

William Bailey,	David Elms,	Samuel M. Moore,
Solomon Baker,	John F. Gaar,	Thomas J. Nash,
Cleaton Bane,	William C. Grier,	Joseph A. Nevitt,
Joseph H. Barlow,	Grant Green,	Micajah Oglesby,
James P. Bates,	Norvin Green,	John J. Park,
John S. Boyd,	Samuel Hatfield,	Joel W. Sallee,
A. H. Bryan,	Charles J. Helm,	Isaac N. Shepperd,
Isaac Burnett,	Alvin Herndon,	James C. Sprigg,
John Calvert,	Thomas Hagins,	Napoleon B. Stone,
Charles G. C. Canby,	Alvin M. Hume,	John J. Thomas,
Robert M. Carlisle,	Garland Hurt,	Lawrence S. Trimble,
Hezekiah Cox,	John B. Laffoon,	Thornton Triplett,
Jonathan Davis,	Charles Lee,	Claiborne J. Walton,
Francis U. Dodds,	William McMillan,	William C. Webster,
James Edelin,	Elijah S. Mitchusson,	Alex. H. Willingham,
Price Edrington,	Robert O. Morgan,	Francis H. Winfrey—48.

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. N. Green and Barnett, were as follows, viz :

## Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John J. Haley,	William C. McNary,
Granville C. Alfred,	Thomas R. Harman,	Strother D. Mitchell,
William C. Anderson,	John B. Holladay,	Andrew Monroe,
Charles M. Briggs,	Benjamin F. Hume,	Barnett C. Moran,
Joshua F. Bullitt,	James H. Hundley,	William F. Moore,
Curtis F. Burnam,	William G. Jackson,	Birch Musselman,
James L. Caldwell,	John G. James,	William T. Samuels,
Willis S. Chaplin,	Henry S. Johnson,	Elijah G. Seabee,
A. D. Cosby,	Alfred M. Jones,	Green Sterett,
Edwin S. Craig,	John A. Keith,	Daniel B. Stivers,
Ellis Duncan,	Benjamin H. Kerrick,	Joshua H. Thomas,
Christian Engleman,	John J. Landrum,	Francis Troutman,
Elisha S. Fitch,	Joseph H. Lewis,	Drury Tye,
Francis Ford,	Robert G. Lewis,	John S. Williams,
Thomas R. Givens,	Opie J. Lindsay,	James C. Wilmore,
Jacob S. Golladay,	Henry D. McHenry,	Francis H. Winfrey,
David Griggs,	George R. McKee,	Chas. G. Wintersmith—51.

## Those who voted in the negative, were

William Bailey,	David Elms,	Samuel M. Moore,
Solomon Baker,	John F. Gaar,	Thomas J. Nash,
Cleaton Bane,	William C. Grier,	Joseph A. Nevitt,
Joseph H. Barlow,	Grant Green,	Micajah Oglesby,
James P. Bates,	Norvin Green,	John J. Park,
John S. Boyd,	Samuel Hatfield,	Joel W. Sallee,
A. H. Bryan,	Charles J. Helm,	Isaac N. Shepperd,
Isaac Burnett,	Alvin Herndon,	James C. Sprigg,
John Calvert,	Thomas Hagins,	Napoleon B. Stone,
Charles G. C. Canby,	Alvin M. Hume,	John J. Thomas,
Robert M. Carlisle,	Garland Hurt,	Lawrence S. Trimble,
Hezekiah Cox,	John B. Laffoon,	Thornton Triplett,
Jonathan Davis,	Charles Lee,	Claiborne J. Walton,
Francis U. Dodds,	William McMillan,	William C. Webster,
James Edelin,	Elijah S. Mitchusson,	Alex. H. Willingham—47.
Price Edrington,	Robert O. Morgan,	

*Ordered*, That Messrs. Bullitt, Mitchell, and N. Green, inform the Senate thereof.

Mr. Shepperd moved the following resolution, viz :

*Resolved*, That when this House adjourns to day it will adjourn to meet on Friday next.

Which was adopted.

On motion of Mr. Sprigg,

*Ordered*, That the Public Printer forthwith print 150 copies of the bill from the Senate, entitled, an act to amend the charter of the Shelby Railroad Company, for the use of the members of the General Assembly.

Mr. Cox moved the following resolution, viz :

*Resolved*, That the committee on Revised Statutes be instructed to inquire into the propriety of providing, by law, for the payment of postage

by clerks of courts on all commonwealth's process to be sent to other counties than that in which such process is issued.

Which was adopted.

Bills from the Senate, of the following titles, viz :

1. An act for the benefit of certain school districts in Barren and Monroe counties.
2. An act to prevent the use of concealed weapons.
3. An act to amend an act to encourage the general diffusion of education.
4. An act in relation to the records of the Jefferson County Court.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st and 3d were referred to the committee on Education ; the 2d to the committee on the Judiciary ; and the 4th to the committee on County Courts.

Mr. Willingham moved the following resolution, viz :

*Resolved*, That the committee on the Court of Appeals be instructed to report a bill to this house branching the court of appeals, requiring terms of said court to be held in each district, as contemplated by the constitution.

And then the House adjourned.

#### FRIDAY, NOVEMBER 27, 1851.

1. Mr. Sheppard presented the petition of sundry citizens of Wayne county, praying the passage of a law allowing a vote of the people as to the propriety of the traffic in spirituous liquors.
2. Mr. Helm presented the memorial of the Safety Fund Bank at Newport, proposing a loan to the state.
3. Mr. Williams presented the petition of the Justices of the Peace of



Clarke county, praying the passage of a law allowing them fees in cases not provided for by law.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Ways and Means; the 2d to the committee on the Sinking Fund; and the 3d to Messrs. Bullitt, Cox, S. M. Moore, and Monroe.

Mr. McKee moved a reconsideration of the vote passing a bill authorizing the County Court of Campbell to establish additional ferries at Newport.

And the question being taken thereon, it was decided in the affirmative.

*Ordered*, That said bill be referred to the committee on Propositions and Grievances.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act to incorporate the Polish House of Israel.

That they adhere to their 1st and 2d, and recede from their 3d amendment, to a bill from this House, entitled, an act incorporating the Newport and Cincinnati Bridge Company.

That they had concurred in the amendment proposed by this House, to the amendment proposed by the Senate, to a bill from this House, entitled, an act closing up certain old roads in Fleming county.

That they had passed bills and a resolution, of the following titles, to-wit:

An act repealing all acts permitting the County Court of Larue county to subscribe stock in railroads and turnpike roads.

An act to allow the Taylorsville and Louisville Turnpike Company to erect a gate near Jeffersontown.

An act to incorporate the St. Joseph's Orphans' Society, of Louisville.

An act to amend the charter of the Louisville and Covington Railroad Company.

An act declaring the Open Fork, of Paint creek, and Abbott creek navigable streams.

An act for the benefit of the Owenton and Ross' Mill Turnpike Road Company.

And a resolution adding Thomas J. Smith to the committee on Banks.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Ways and Means—1. A bill for the benefit of the Sheriff of Garrard county.

By the committee on County Courts—2. A bill changing the time of holding the Court of Claims in Mason county.

By Mr. Triplett—3. A bill changing the time of holding the Court of Claims in Oldham county.

By Mr. Nash—4. A bill for the benefit of the town of Lebanon, in Marion county.

By Mr. Grier—5. A bill changing a portion of the line between Green-up and Carter counties.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 3d, and 4th, were severally ordered to be engrossed and read a third time; and the 5th was referred to the committee on Propositions and Grievances.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, and 4th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bailey—1. A bill to change the time of holding the Court of Claims in Bath county.

On motion of Mr. Troutman—2. A bill to amend the law of descent and distribution.

On motion of Mr. J. J. Thomas—3. A bill to exempt Christian county from the operation of a law passed at the last session of the legislature in relation to changing common school districts.

On motion of Mr. Williams—4. A bill to incorporate the town of Kiddville, in the county of Clarke.

On motion of Mr. Stivers—5. A bill to allow an additional Justices' and Constable's district in Owsley county.

On motion of Mr. Cosby—6. A bill for the benefit of the Clerk of the Daviess County and Circuit Courts.

On motion of Mr. James—7. A bill to exempt the "fair grounds" at Lexington from taxation.

On motion of Mr. Wilmore—8. A bill for the benefit of the Sheriff of Jessamine county.

On motion of Mr. Golladay—9. A bill to extend the corporate limits of the town of Russellville.

On motion of same—10. A bill authorizing the Clerk of the Logan County Court to have certain books transcribed and re-bound.

On motion of Mr. Musselman—11. A bill to amend an act, entitled, an act to incorporate the Cook Benevolent Institution at Louisville, approved December 17, 1846.

On motion of Mr. Bullitt—12. A bill for the benefit of the Kentucky Institution for the Education of the Blind.

On motion of same—13. A bill for the benefit of Elizabeth Collins' devisees.

On motion of Mr. Trimble—14. A bill to incorporate the town of Lovelaceville, in Ballard county.

On motion of same—15. A bill for the benefit of George H. Morrow, late Sheriff of McCracken county.

On motion of Mr. Triplett—16. A bill making new boundaries for Lagrange district, Oldham county, for election purposes.

On motion of Mr. Webster—17. A bill to provide for appointing hands to clear out obstructions in part of Green river.

On motion of Mr. Sebree—18. A bill to change a portion of a road in Todd county, leading from Louisville to Hopkinsville.

On motion of Mr. Shepperd—19. A bill for the benefit of Martin Cozle, of Wayne county.

*Ordered*, That Messrs. Bailey, Trimble, and Hurt, prepare and bring in the 1st; the committee on the Judiciary, the 2d and 9th; Messrs. J. J. Thomas, Sebree, and Golladay, the 3d; Messrs. Williams, McHenry, and J. H. Lewis, the 4th; Messrs. Stivers, Mitchell, and Jackson, the 5th; Messrs. Cosby, Dodds, and Morgan, the 6th; the committee on Ways and Means, the 7th; Messrs. Wilmore, Anderson, and Shepperd, the 8th; Messrs. Golladay, Sebree, and J. J. Thomas, the 10th; Messrs. Musselman, Craig, Monroe, and Williams, the 11th; Messrs. Bullitt, Nash, and Webster, the 12th; Messrs. Bullitt, Craig, and Musselman, the 13th; Messrs. Trimble, Triplett, and Bailey, the 14th; Messrs. Trimble, Dodds, and Willingham, the 15th; Messrs. Triplett, Boyd, and Cox, the 16th; Messrs. Webster, Jones, and Baker, the 17th; Messrs. Sebree, J. J. Thomas, and Golladay, the 18th; and the committee on Claims, the 19th.

The House again resumed the consideration of the resolution moved by Mr. Willingham on yesterday.

And the question being taken on the adoption of the same, it was decided the affirmative.

The yeas and nays being required thereon, by Messrs. Willingham and Trimble, were as follows, viz :

Those who voted in the affirmative, were

William C. Anderson,	David Elms,	Henry D. McHenry,
William Bailey,	Francis Ford,	Strother D. Mitchell,
Cleaton Bane,	John F. Gaar,	Elijah S. Mitchusson,
James P. Bates,	Thomas R. Givens,	Robert O. Morgan,
A. H. Bryan,	William C. Grier,	Thomas J. Nash,



Isaac Burnett,  
James L. Caldwell,  
John Calvert,  
Charles G. C. Canby,  
A. D. Cosby,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,  
Price Edrington,

Grant Green,  
Thomas R. Harman,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,

Joseph A. Nevitt,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
Daniel B. Stivers,  
Napoleon B. Stone,  
John J. Thomas,  
Lawrence S. Trimble,  
Alex. H. Willingham—43.

Those who voted in the negative, were

Mr. Speaker, (Robertson,) Granville C. Alfred,  
Joseph H. Barlow,  
John S. Boyd,  
Joshua F. Bullitt,  
Edwin S. Craig,  
Ellis Duncan,  
Christian Engleman,  
Elisha S. Fitch,  
Jacob S. Golladay,  
David Griggs,  
Norvin Green,  
John J. Haley,  
John B. Holladay,

William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
George R. McKee,  
William McMillan,  
William C. McNary,  
Andrew Monroe,

Barnett C. Moran,  
Samuel M. Moore,  
William F. Moore,  
Birch Musselman,  
Elijah G. Sebree,  
Isaac N. Shepperd,  
Green Sterett,  
Joshua H. Thomas,  
Francis Troutman,  
Drury Tye,  
William C. Webster,  
John S. Williams,  
Francis H. Winfrey—41.

A message was received from the Senate, announcing that they had adopted a resolution postponing the election of a United States Senator.

Mr. Bullitt, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of the Kentucky Institution for the Education of the Blind; which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, it was referred to the committee appointed to visit said Institution.

A message was received from the Senate, announcing their concurrence in the resolution from this House postponing the election of a United States Senator.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz :

An act to create the office of Police Judge and Marshal in the town of Shepherdsville.

An act to incorporate Forrest Spring College, in Allen county.

Were taken up, twice read, and concurred in.

*Resolved*, That this House recede from their disagreement to the 1st and 2d amendments proposed by the Senate, to a bill from this House, entitled, an act incorporating the Newport and Cincinnati Bridge Company.



Bills from the Senate, of the following titles, viz :

An act to amend the charter of the Louisville and Covington Railroad Company.

An act declaring the Open Fork of Paint creek, and Abbott creek navigable streams.

An act for the benefit of the Owenton and Ross' Mill Turnpike Road Company.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The House took up for consideration the preamble and resolution read and laid on the table on the 15th instant by Mr. Webster.

*Ordered*, That said preamble and resolution be referred to the committee on the Penitentiary.

A resolution from the Senate, adding Thos. J. Smith to the committee on Banks, was taken up, twice read, and concurred in, with an amendment.

The House took up the resolution from the Senate, postponing the election of a United States Senator.

Mr. Anderson moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. N. Green and Dodds, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John B. Holladay,	Barnett C. Moran,
Granville C. Alfred,	James H. Hundley,	William F. Moore,
William C. Anderson,	William G. Jackson,	Birch Musselman,
Charles M. Briggs,	John G. James,	William T. Samuels,
Joshua F. Bullitt,	Henry S. Johnson,	Elijah G. Sebree,
James L. Caldwell,	Alfred M. Jones,	Isaac N. Shepperd,
A. D. Cosby,	John A. Keith,	Green Sterett,
Edwin S. Craig,	Benjamin H. Kerrick,	Daniel B. Stivers,
Ellis Duncan,	John J. Landrum,	Napoleon B. Stone,
Christian Engleman,	Joseph H. Lewis,	Joshua H. Thomas,
Elisha S. Fitch,	Robert G. Lewis,	Francis Troutman,
Francis Ford,	Opie J. Lindsay,	Drury Tye,
Thomas R. Givens,	Henry D. McHenry,	John S. Williams,
Jacob S. Golladay,	George R. McKee,	James C. Wilmore,
David Griggs,	William C. McNary,	Francis H. Winfrey,
John J. Haley,	Strother D. Mitchell,	Chas. G. Wintersmith—50.
Thomas R. Harman,	Andrew Monroe,	

Those who voted in the negative, were

William Bailey,	Price Edrington,	William McMillan,
Solomon Baker,	David Elms,	Elijah S. Mitchusson,
Cleaton Bane,	John F. Gaar,	Robert O. Morgan,
Joseph H. Barlow,	William C. Grier,	Samuel M. Moore,
James P. Bates,	Grant Green,	Thomas J. Nash,
John S. Boyd,	Norvin Green,	Joseph A. Nevitt,
A. H. Bryan,	Samuel Hatfield,	Micajah Oglesby,
Isaac Burnett,	Charles J. Helm,	John J. Park,
John Calvert,	Alvin Herndon,	Joel W. Sallee,
Charles G. C. Canby,	Thomas Hagins,	John J. Thomas,
Hezekiah Cox,	Garland Hurt,	Lawrence S. Trimble,
Jonathan Davis,	John B. Laffoon,	William C. Webster,
Francis U. Dodds,	Charles Lee,	Alex. H. Willingham—40.
James Edelin,		

Mr. J. H. Lewis moved the following resolution, viz :

*Resolved*, That the committee on Revised Statutes be instructed to inquire into and report to this House, as to the proper mode of printing and disposing of the statute books, and the most advisable terms of compensation to the commissioners.

Which was adopted.

On motion of Mr. Wintersmith,

*Resolved*, That when this House adjourns on this day it will adjourn till Monday next at half past 9, A. M.

And then the House adjourned.

#### MONDAY, DECEMBER 1, 1851.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act for the benefit of Elizabeth Sicard.

That they had disagreed to the 1st, 2d, 3d, and 5th, and concurred in the 4th amendment proposed by this House, to a bill from the Senate, entitled, an act for the benefit of Mahlon Pruden, and others.

That they had passed bills from this House, of the following titles, to-wit :

An act for the benefit of the late sheriffs of the several counties in this state.

An act dividing School district, No. 58, in Adair county.

An act for the benefit of James C. Calhoun, Sheriff of McCracken county.

An act for the benefit of School districts No. 21, in Calloway county, and No. 37, in Hardin county.

An act for the benefit of persons holding lands lying back of other lands in the vicinity of any navigable streams in this state.

With amendments to the last named bill.

That they had passed bills of the following titles, viz :

An act authorizing Judges of County Courts to change voting places and boundary lines of Justices' districts and voting precincts.

An act to re-establish and re-mark corners of the sectionized lands west of the Tennessee river.

An act to amend an act, entitled, an act to regulate the retailing of ardent spirits.

An act to re-establish a portion of the line between the counties of Hickman and Graves.

1. Mr. Mitchusson presented the petition of the trustees of School district, No. 41, in Caldwell county, praying that an appropriation be allowed them for a school taught in their district.

2. Mr. Burnam presented the petition of sundry citizens of Madison county, praying for an appropriation of money in aid of the Colonization Society.

3. Mr. Kerrick presented the petition of sundry citizens of Jefferson county, praying that a law may be passed allowing a vote on the propriety of allowing a traffic in spirituous liquors.

4. Mr. Helm presented the petition of sundry citizens of the city of Newport, praying an extension of the limits of said city.

5. Also, the remonstrance of sundry citizens of said city, against the extension of the limits of said city.

6. Also, the petition of sundry citizens of said city of Newport, praying that the citizens of said city may be exempt from payment of county poll tax.

7. Mr. Nash presented the petition of John Springer, and other citizens of Marion county, praying that compensation be allowed the said John Springer for keeping Charles Springer, a lunatic.

8. Mr. Mitchusson presented the petition of sundry citizens of Princeton, in Caldwell county, praying that the trustees be permitted to grant licenses to coffee houses.

9. Mr. Baker presented the petition of citizens of Adair, Green, and Barren counties, praying the formation of a new county out of parts of said counties.

10. Mr. Winfrey presented the remonstrance of sundry citizens of Cumberland county, against the formation of said new county.

11. Mr. Mitchell presented the petition of sundry citizens of Montgomery, Clarke, and Estill counties, praying the formation of a new county out of parts of said counties.

12. Mr. Grier presented the petition of sundry citizens of Greenup county, praying that a law may be passed allowing a vote on the propriety of allowing a traffic in spirituous liquors.

13. Mr. Hatfield presented the petition of Robert Butler, praying that a fine imposed on him may be refunded.

14. Mr. Canby presented the petition of Benjamin F. Hatfield, praying that he may be permitted to peddle goods without license.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education; the 2d to the committee on the Judiciary; the 3d, 8th, 12th, and 13th, to the committee on Ways and Means; the 4th, 5th, 9th, 10th, 11th, and 14th, to the committee on Propositions and Grievances; the 6th to the committee on the Sinking Fund; and the 7th to the committee on Claims.

Mr. McNary, from the committee on Internal Improvement, to whom was referred a bill to incorporate the Lexington and Cumberland Railroad Company, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Sebree, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled,

An act to allow the County Court of Franklin to subscribe stock in turnpikes, and for other purposes.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Sebree inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Propositions and Grievances—1. A bill for the benefit of Kean O'Hara.

By same—2. A bill authorizing William Garrard to build a fish dam and trap across Main Licking river.

By same—3. A bill to amend an act, entitled, an act to extend the limits of the town of Hopkinsville, approved February 4, 1846.



By Mr. Sebree—4. A bill to authorize a change in the state road leading from Louisville to Hopkinsville.

By Mr. Briggs—5. A bill to regulate the duties of executors and administrators.

By Mr. Jackson—6. A bill to incorporate Proctor Division, No. 205, Sons of Temperance.

By Mr. Trimble—7. A bill for the benefit of George H. Morrow.

By Mr. Golladay—8. A bill to authorize the Clerk of the Logan County Court to transcribe and have re-bound certain record books.

By Mr. J. J. Thomas—9. A bill to suspend the operation of the law in relation to changing common school districts in the county of Christian.

By Mr. Trimble—10. A bill to incorporate the town of Lovelaceville, in Ballard county.

By Mr. Wilmore—11. A bill for the benefit of the Sheriff of Jessamine county.

By Mr. Canby—12. A bill for the benefit of the trustees of the town of Burlington, in Boone county.

By Mr. Barlow—13. A bill to amend the several acts regulating the election of the trustees of the town of Scottville.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 3d, 4th, 6th, 8th, 9th, 11th, and 13th, were severally ordered to be engrossed and read a third time; the 5th, 10th, and 12th, were referred to the committee on the Judiciary; and the 7th to the committee on Ways and Means.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 6th, 8th, 9th, 11th, and 13th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Canby—1. A bill to amend the charter of the Petersburg and Burlington Turnpike Road Company.

On motion of same—2. A bill to incorporate the Hamilton and Union Turnpike Road Company.

On motion of Mr. Helm—3. A bill to incorporate a company to construct a railroad from Newport to Maysville.

On motion of same—4. A bill to incorporate a Gas Company at Newport and Covington.

On motion of Mr. Cox—5. A bill to change the place of voting in the Worthville Justices' district, in Carroll county.

On motion of Mr. Park—6. A bill establishing an additional term of the Carter Circuit Court.

On motion of Mr. Williams—7. A bill to authorize the County Court of Clarke to apply to purposes of internal improvement any surplus arising from the tax imposed to meet the subscription of said court to the Winchester and Paris Turnpike Road Company.

On motion of Mr. Winfrey—8. A bill for the benefit of James Haggard.

On motion of Mr. Ford—9. A bill for the benefit of Wm. T. Fox, assessor of tax in Madison county.

On motion of Mr. Jackson—10. A bill for the benefit of School district, No. 21, which is composed of parts of Clarke, Montgomery, and Estill counties.

On motion of Mr. McKee—11. A bill to legalize the acts and define the duties of the Marshal of the town of Lancaster.

On motion of Mr. Lindsay—12. A bill for the benefit of Henry Woodyard, late Sheriff of Grant county.

On motion of Mr. Hurt—13. A bill for the benefit of James H. Godsey, late Sheriff of Johnson county.

On motion of Mr. Carlisle—14. A bill to establish the Covington Chancery Court.

On motion of Mr. Griggs—15. A bill for the benefit of William Alexander, administrator of Tecumseh Brown, deceased, and guardian of William B. Bown infant of said T. Brown, deceased.

On motion of Mr. McNary—16. A bill to change a place of voting in Muhlenburg county.

On motion of Mr. Holladay—17. A bill to incorporate the town of Mount Olivet, in the county of Nicholas.

*Ordered*, That the committee on the Judiciary prepare and bring in the 3d, 4th, and 11th; Messrs. Canby, Helm, and Winfrey, the 1st; Messrs. Canby, Cox, and Landrum, the 2d; Messrs. Cox, Canby, and Bates, the 5th; the committee on Circuit Courts, the 6th; Messrs. Williams, Marshall, and Helm, the 7th; Messrs. Winfrey, S. M. Moore, and Baker, the 8th; Messrs. Ford, Burnam, and Moran, the 9th; Messrs. Jackson, Williams, and Mitchell, the 10th; Messrs. Lindsay, Landrum, and B. F. Hume, the 12th; Messrs. Hurt, Lee, and Grier, the 13th; Messrs. Carlisle, S. M. Moore, and Helm, the 14th; Messrs. Griggs, Kerrick, and Mitchell, the 15th; Messrs. McNary, Sterett, and Sallee, the 16th; and Messrs. Holladay, Keith, and Johnson, the 17th.

The amendment proposed by the Senate, to a bill from this House, entitled, an act for the benefit of persons holding lands lying back of other lands in the vicinity of any navigable streams in this state, were taken up, twice read, and concurred in.

Mr. Winfrey, from the committee appointed to prepare and bring in the same, reported a bill authorizing James Haggard to solemnize marriages; which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

*Ordered*, That said bill be referred to the committee on County Courts.

*Resolved*, That this House insist on their 1st, 2d, 3d, and 5th amendments to a bill from the Senate, entitled, an act for the benefit of Mahlon Pruden, and others; and had appointed a committee of conference on their part to act in conjunction with a similar committee on the part of the Senate, in relation to the disagreement between the two houses on said bill.

Whereupon, Messrs. Williams, Bates, Boyd, Golladay, and Burnam, were appointed the committee on the part of this house.

*Ordered*, That Mr. Williams inform the Senate thereof.

A bill from the Senate, entitled, an act authorizing Judges of County Courts to change voting places and boundary lines of Justices' districts and voting precincts, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with—

The said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the presiding judges of the county courts shall have full power at any regular county court, sixty days next preceding any election, to change the place of voting in any voting precinct now established or which shall hereafter be established by law.

§ 2. That judges of county courts shall have full power at any regular county court, sixty days preceding any election, to order and make such changes in the boundary lines of voting precincts and justices' districts as to him shall seem proper; and whenever any such change shall be made, either in the voting place in a voting precinct, or in the boundary lines of a justices' district or voting precinct, it shall be the duty of such judge to cause and require the same to be entered and spread upon the records of the county court at full length, in a plain and concise manner—one copy of which the clerk of such court shall transmit forthwith to the secretary of state, to be filed and carefully preserved by him in his office; and said clerk shall furnish forthwith to the sheriff of the county two other copies, one of which to be posted up by him at the place of voting in such district, and the other at the court house door in his county, for at least thirty days preceding the next succeeding election after such change; and any clerk or sheriff who shall fail and neglect to perform the duties enjoined upon them by this act, shall be fined ten dollars by the judge of said court upon the motion of any one who



shall prosecute the same ; and it shall be the duty of the county attorney to attend to the same in behalf of the county ; and such fine shall pass into the hands of the county treasurer for the use of the county.

§ 3. That whenever any person shall desire to have the voting place in a voting precinct changed, or the boundary lines of any justices' district or voting precinct changed, he or they shall advertise, in writing, the fact at three of the most public places within such precinct or district, and upon the court house door of his county, for at least thirty days before such motion is made ; in which advertisements the particular changes and alterations desired to be made shall be set forth ; and upon proof of such advertisement having been made, the judge of the county court may proceed to hear and determine the motion for such change as aforesaid. Said change shall not take effect until the end of the term for which the justice or constable was elected : *Provided*, no county court shall entertain a motion to change the boundary of a precinct or district, except on the petition of a majority of the voters, proposed to be transferred from one district to another : *Provided further*, that if the boundaries of any justices' district shall be so changed as to transfer the residence of any justice of the peace or constable from one district to another, such justice of the peace or constable shall still have full power and authority to execute the duties and receive the emoluments of his office within the district as it stood when he was elected, and within the county as though said change had not been made.

Mr. Sprigg moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Oglesby and Carlisle, were as follows, viz :

Those who voted in the affirmative, were

Solomon Baker,	John B. Holladay,	Elijah S. Mitchusson,
Cleaton Bane,	Alvin M. Hume,	Andrew Monroe,
James P. Bates,	Garland Hurt,	Robert O. Morgan,
John S. Boyd,	William G. Jackson,	Thomas J. Nash,
James L. Caldwell,	John G. James,	Joseph A. Nevitt,
John Calvert,	Henry S. Johnson,	John J. Park,
Willis S. Chaplin,	Alfred M. Jones,	Joel W. Sallee,
A. D. Cosby,	John A. Keith,	William T. Samuels,
Edwin S. Craig,	Benjamin H. Kerrick,	Elijah G. Seabee,
Francis U. Dodds,	John J. Landrum,	James C. Sprigg,
James Edelin,	Charles Lee,	John J. Thomas,
Jacob S. Golladay,	Robert G. Lewis,	Thornton Triplett,
David Griggs,	Opie J. Lindsay,	James C. Wilmore,
Samuel Hatfield,	George R. McKee,	Francis H. Winfrey,
Alvin Herndon,	William McMillan,	Chas. G. Wintersmith—47.
Thomas Hagins,	William C. McNary,	

Those who voted in the negative, were

Mr. Speaker (Robertson,)	Price Edrington,	Benjamin F. Hume,
Granville C. Alfred,	David Elms,	John B. Laffoon,
Joseph H. Barlow,	Francis Ford,	Joseph H. Lewis,



Charles M. Briggs,  
Isaac Burnett,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,

John F. Gaar,  
Thomas R. Givens,  
William C. Grier,  
Thomas R. Harman,  
Charles J. Helm,

Strother D. Mitchell,  
Micajah Oglesby,  
Daniel B. Stivers,  
Lawrence S. Trimble,  
John S. Williams—24.

Bills from the Senate, of the following titles, viz :

1. An act to re-establish and re-mark corners of the sectionized lands west of the Tennessee river.

2. An act to amend an act, entitled, an act to regulate the retailing of ardent spirits.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was referred to the committee on the Judiciary; and the 2d to the committee on Revised Statutes.

Mr. Bates moved to take up from the table the resolution from the Senate postponing the election of a United States Senator.

At 12 o'clock, M., Mr. J. H. Lewis moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Bates and Edelin, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)  
Granville C. Alfred,  
Solomon Baker,  
Cleaton Bane,  
Charles M. Briggs,  
Curtis F. Burnam,  
Isaac Burnett,  
James L. Caldwell,  
Willis S. Chaplin,  
Edwin S. Craig,  
Francis U. Dodds,  
Price Edrington,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,

David Griggs,  
Thomas R. Harman,  
John B. Holladay,  
Benjamin F. Hume,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
George R. McKee,  
William C. McNary,

Strother D. Mitchell,  
Andrew Monroe,  
Robert O. Morgan,  
John J. Park,  
William T. Samuels,  
Elijah G. Seabee,  
James C. Sprigg,  
Daniel B. Stivers,  
John J. Thomas,  
Thornton Triplett,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—44.

Those who voted in the negative, were

Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
James Edelin,  
David Elms,  
John F. Gaar,

William C. Grier,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
Alfred M. Jones,  
John B. Laffoon,

Charles Lee,  
William McMillan,  
Elijah S. Mitchusson,  
Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
Joel W. Sallee,  
Lawrence S. Trimble—26.

## TUESDAY, DECEMBER 2, 1851.

1. Mr. Ford presented the petition of the citizens of Dycusburg, in Crittenden county, praying for a Police Judge and Town Marshal, and the extension of the limits of said town.

2. Mr. Griggs presented the remonstrance of sundry citizens of Meade county, remonstrating against the formation of a new county out of parts of Hardin, Breckinridge, and Meade.

Which were received, the reading dispensed with, and referred to the committee on the Judiciary.

Mr. Burnam, from the committee on Education, to whom was referred bills from the Senate, of the following titles, viz :

An act for the benefit of certain school districts in Barren and Monroe counties.

An act to amend an act, entitled, an act to encourage the general diffusion of education.

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Seabee, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, to-wit :

An act to incorporate Campbell Female College, in Campbell county.

An act incorporating the Newport and Cincinnati Bridge Company.

An act to incorporate Forrest Spring College, in Allen county.

An act to create the office of Police Judge and Town Marshal in the town of Shepherdsville.

An act to incorporate the St. Joseph's Orphans' Society, of Louisville.

An act for closing up certain old roads in Fleming county.

An act to allow the Taylorsville and Louisville Turnpike Company to erect a gate near Jeffersontown.

An act repealing all acts permitting the County Court of Larue county to subscribe stock in railroads and turnpike roads.

An act to legalize the proceedings of the Daviess County Court.

An act to change the lines in Magistrates' and Constable's district, No. 1, in Lincoln county.

An act in relation to Common School district No. 12, in Whitley county.

An act for the benefit of the Lancaster and Crab Orchard Turnpike Road Company.

An act to amend an act, entitled, an act to amend the laws regulating the town of Millersburg, in the county of Bourbon.

An act for the benefit of the trustees of the town of Hartford.

An act to empower the trustees of Williamsburg to sell a portion of a street in said town.

An act to legalize the acts of certain officers.

An act for the benefit of the mechanics of Monroe county.

An act dividing School district, No. 58, in Adair county.

An act for the benefit of James C. Calhoun, Sheriff of McCracken county.

An act for the benefit of the late sheriffs of the several counties in this state.

An act for the benefit of School districts No. 21, in Calloway county, and No. 37, in Hardin county.

An act to incorporate the Rough Creek Navigation and Manufacturing Company.

An act to incorporate the Versailles, Fire, Life, and Marine Insurance Company.

An act to provide for the better regulation and support of the public schools in the city of Newport.

An act to establish the town of Duncansville.

An act to create the office of Marshal of the town of Hartford.

An act to authorize the Judge of the Boyle County Court to sell a portion of the court house lot.

An act to incorporate McClure Chapter, No. 48, of Royal Arch Masons, in Crittenden, Grant county.

An act to incorporate the Estill Springs Company.

An act to amend the charter of the Shelbyville and Louisville Turnpike Road Company.

An act for the benefit of the late Clerks of the Circuit and County Courts.

An act to amend an act, entitled, an act to organize county courts in the several counties, approved March 11, 1851.

And bills which originated in the Senate, of the following titles, to-wit:

An act repealing all acts allowing the appointment of deputy constables.

An act to repeal an act to authorize the County Courts of Nelson and Barren counties to subscribe stock in the Louisville and Nashville Railroad Company, approved 15th March, 1851.

An act to amend the charter of the Southern Bank of Kentucky.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Sebree inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Privileges and Elections—1. A bill to change the time of electing Magistrates and Constables.

By Mr. Cox—2. A bill to change the place of voting in the Worthville district, in Carroll county.

By Mr. Hurt—3. A bill for the benefit of James H. Godsey, former Sheriff of Johnson county, and Geo. H. Morrow, late Sheriff of McCracken county.

By Mr. Trimble—4. A bill to change the mode of selecting grand jurors.

By Mr. Bailey—5. A bill to change the time of holding the Court of Claims in Bath county.

By Mr. Hundley—6. A bill requiring County Judges and Justices of the Peace to give bond and security.

By Mr. Ford—7. A bill to incorporate the town of Marion, in Crittenden county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st and 4th were referred to the committee on Revised Statutes ; the 2d, 3d, and 5th, were ordered to be engrossed and read a third time ; the 6th was referred to the committee on County Courts ; and the 7th to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 2d, 3d, and 5th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cox moved the following resolution, viz :

*Resolved*, That the committee on the Code of Practice be instructed to inquire into the expediency of so amending the 415th and 416th sections of the Code of Practice, as to secure to mortgagors the same privileges to redeem land sold under a decree of the chancellor, as are secured by law to the defendants in execution.

Which was adopted.



Mr. Edelin moved the following resolution, viz :

*Resolved*, That hereafter any member absenting himself from this House whilst in session, unless sick or otherwise disabled, or without obtaining leave of absence, shall be charged at the rate of three dollars per day for each day absent, which charges shall be deducted by the clerk from the pay of such delinquent member.

Mr. Winfrey moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Edelin and Lee, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	Thomas R. Harman,	Andrew Monroe,
Solomon Baker,	Alvin Herndon,	William T. Samuels,
Charles M. Briggs,	John B. Holladay,	Elijah G. Seabee,
Hezekiah Cox,	Henry S. Johnson,	Daniel B. Stivers,
Edwin S. Craig,	John A. Keith,	Thornton Triplett,
David Griggs,	Joseph H. Lewis,	John S. Williams,
Grant Green,	Strother D. Mitchell,	Francis H. Winfrey—21.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Thomas R. Givens,	Opie J. Lindsay,
William Bailey,	William C. Grier,	Thomas F. Marshall,
Cleaton Bane,	Charles J. Helm,	Henry D. McHenry,
Joseph H. Barlow,	Thomas Hagins,	William McMillan,
John S. Boyd,	Alvin M. Hume,	Elijah S. Mitchusson,
Curtis F. Burnam,	Benjamin F. Hume,	Robert O. Morgan,
James L. Caldwell,	James H. Hundley,	Thomas J. Nash,
Charles G. C. Canby,	Garland Hurt,	Joseph A. Nevitt,
Robert M. Carlisle,	William G. Jackson,	John J. Park,
A. D. Cosby,	John G. James,	Joel W. Sallee,
Francis U. Dodds,	John B. Laffoon,	John J. Thomas,
James Edelin,	John J. Landrum,	Lawrence S. Trimble,
David Elms,	Charles Lee,	Alex. H. Willingham,
Francis Ford,	Robert G. Lewis,	Chas. G. Wintersmith—43.
John F. Gaar,		

*Ordered*, That said resolution be referred to the committee on Ways and Means.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz :

An act authorizing the Ohio County Court to establish a new election precinct, and change the boundaries of others in said county.

An act authorizing a special term of the Fleming Circuit Court.

An act to incorporate the town of Eminence.

An act to amend an act incorporating the town of Livermore, in Ohio county, and for other purposes.

An act to incorporate Caseyville Lodge, No. 168, of Free and Accepted Masons.

An act authorizing portions of the State roads in Kenton county to be closed.

An act declaratory of the power of the city of Lexington to tax Insurance companies and Lottery offices.

An act to incorporate Pitman Lodge, No. 124.

An act to incorporate Clay Lodge, No. 38, Independent Order of Odd Fellows.

An act declaring Troublesome creek a navigable stream to Samuel Cornett's, in Letcher county.

An act to allow a Marshal to the town of Harrisonville, Shelby county.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz :

An act dispensing with commissions to certain officers of this commonwealth.

An act to incorporate the Ohio river, Bedford, and Campbellsburg Plank Road Company.

An act to change the time of holding the Perry county and quarterly courts.

That they had concurred in the amendment proposed by this House, to a resolution from the Senate, adding Thos. J. Smith to the joint committee on Banks.

And had received official information from the Governor that he did, on the first day of December, 1851, approve and sign a bill which originated in the Senate, entitled,

An act to allow the County Court of Franklin to subscribe stock in turnpikes, and for other purposes.

Leave was given to bring in the following bills, viz :

On motion of Mr. Winfrey—1. A bill declaring the residence of Samuel Spencer in Cumberland county.

On motion of Mr. Hurt—2. A bill further to protect the rights of laborers, and for other purposes.

On motion of Mr. Hundley—3. A bill to close a street in the town of Pikeville.

On motion of Mr. Trimble—4. A bill to incorporate a tobacco inspection warehouse at Paducah.

On motion of same—5. A bill to levy an additional tax for common school purposes.

On motion of Mr. Alfred—6. A bill for the benefit of Common School districts, Nos. 27, 35, 55, and 56, in the county of Washington.

On motion of Mr. Harman—7. A bill in relation to officers of elections in Whitley county.

On motion of Mr. A. M. Hume—8. A bill to prevent county attorneys from speculating in county claims.

*Ordered*, That Messrs. Winfrey, S. M. Moore, and Webster, prepare and bring in the 1st; the committee on the Judiciary, the 2d; Messrs. Hundley, Hurt, and Sallee, the 3d; Messrs. Trimble, Willingham, and Morgan, the 4th; Messrs. Trimble, Bailey, and Triplett, the 5th; Messrs. Alfred, Morgan, and J. J. Thomas, the 6th; Messrs. Harman, Jackson, and Tye, the 7th; and the committee on County Courts, the 8th.

Mr. Nash moved the following resolution, viz:

Whereas, it is confidently believed that the deleterious effects of the gas manufactured in the public square of this capitol, is very injurious to the health of the members of the legislature, causing them to suffer much with the diseases of the lungs and head. Therefore,

*Resolved*, That the committee on Propositions and Grievances be instructed to inquire into the propriety of having the manufacture of gas suspended till the works can be so arranged as to purify it so as to remove its deleterious effects, and report to this house by resolution or otherwise, as soon as practicable.

Which was adopted.

Mr. Harman moved the following resolution, viz:

*Resolved*, That the committee on Public Offices be allowed a further period of ten days in which to make their report to this house; and that so much of the rule as requires a report to be made within the first thirty days of the session be suspended.

Which was adopted.

The House then resolved itself into a committee of the whole, on the bill to extend the mechanics' lien law to all the counties of this state, Mr. Mitchell in the chair; and after some time spent therein, the Speaker resumed the chair, when Mr. Mitchell reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

A bill from the Senate, entitled, an act to incorporate the Ohio river, Bedford, and Campbellsburg Plank Road Company, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, it was referred to the committee on Internal Improvement.

And then the House adjourned.

## WEDNESDAY, DECEMBER 3, 1851.

A message was received from the Governor, announcing that he had, on the 2d instant, approved and signed an enrolled bill which originated in this House, entitled,

An act to incorporate the Versailles Fire, Life, and Marine Insurance Company.

1. Mr. Winfrey presented the petition of the bar of the Cumberland court, praying that six juridical days may be added to their circuit courts.

2. Mr. Burnam presented the petition of John W. Reynolds, praying additional compensation for keeping an idiot.

3. Mr. Boyd presented the petition of sundry citizens of the 9th judicial district, praying for the appointment of a chancellor in said district.

4. Mr. Hagins presented the petition of sundry citizens of Morgan county, praying a change in the boundary of certain school districts in said county.

5. Mr. Sallee presented the petition of sundry citizens of Pulaski county, praying the establishment of an additional election precinct in said county.

6. Mr. Bane presented the petition of W. B. Secrest, praying a change of the line in district No. 2, in Lewis county.

7. Mr. Mitchusson presented the remonstrance of sundry citizens of Princeton, against granting to the trustees of said town the power to grant licenses to coffee houses.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Circuit Courts; the 2d to the committee on Claims; the 3d to the committee on the Judiciary; the 4th to the committee on Education; the 5th and 6th to the committee on Privileges and Elections; and the 7th to the committee on Ways and Means.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act for the benefit of John Friend and Jacob Fitzpatrick.

An act for the benefit of Stephen Adams, Deputy Sheriff of Clarke county.

An act for the benefit of the Sheriff of Garrard county.

That they had passed bills of the following titles, viz:

An act to incorporate Liberty Lodge, No. 126, of Free and Accepted Masons.



An act to authorize the Clerk of the County Court of Owen county to index record books A and B in his office.

An act to change the time of holding the Logan county quarterly courts.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill to incorporate the town of Lovelaceville, in Ballard county, reported the same with amendments, which were concurred in.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the same committee, to whom was referred a bill to regulate the duties of executors and administrators, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the same committee, to whom was referred the petition of Charles Tyler; the petition of the citizens of Campbellsville; and the petition of H. Hamilton, and others, reported the same with the following resolution, viz:

*Resolved*, That said petitions be rejected.

Which was concurred in.

Mr. McKee, from the same committee, to whom was referred the petition of sundry citizens of Carroll, Madison, and Kenton counties, asking an appropriation in aid of the Colonization Society, asked to be discharged from the further consideration of the same, which was granted.

Mr. McKee, from the same committee, to whom was referred leave to bring in a bill to amend the law of decents and distribution, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said leave be referred to the committee on Revised Statutes.

Mr. McKee, from the same committee, to whom was referred a resolution directing them to inquire whether any legislation is necessary to protect county and state roads against obstructions by railroad companies, asked to be discharged from the further consideration of the same, which was granted.

Mr. Bullitt, from the committee on the Sinking Fund, to whom was referred the petition of sundry citizens of Newport, praying to be released from the payment of poll tax, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said petition be referred to the committee on Propositions and Grievances.

Mr. Wintersmith, from the committee on Revised Statutes, to whom was referred the amendment proposed by the Senate to a bill from this House, entitled, an act to regulate the duties of jailers relative to runaway slaves, reported the same without amendment.

*Resolved*, That this House disagree to the amendment proposed by the Senate to said bill.

Mr. Wintersmith, from the same committee, to whom was referred a bill from the Senate, entitled, an act to amend an act, entitled, an act to regulate the retailing of ardent spirits, reported the same without amendment.

*Ordered*, That said bill have its third reading on to-morrow, at 11 o'clock, A. M.

Mr. Wintersmith, from the same committee, to whom was referred a bill concerning common schools in the city of Lexington, reported the same without amendment.

*Ordered*, That said bill be referred to a committee of the whole, and made the special order of the day for the 8th instant.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Propositions and Grievances—1. A bill for the benefit of Benjamin F. Maxfield, of Boone county.

By same—2. A bill to take the sense of the people of Owsley county for the purpose of changing the county seat of said county.

By the committee on the Judiciary—3. A bill to incorporate the Mount-sterling, Kiddville, Red River Iron Works, and Irvine Turnpike Road Company.

By the committee on County Courts—4. A bill to prevent county attorneys from purchasing county claims on the county treasuries.

By Mr. Caldwell—5. A bill to amend the charter of the town of Clay-village, in Shelby county.

By Mr. Burnam—6. A bill for the benefit of the assessors of tax of Madison, Logan, and Bath counties.

By Mr. Trimble—7. A bill to take the sense of the voters of this commonwealth as to the propriety of levying an additional tax for common school purposes.

By Mr. G. Green—8. A bill to authorize the Clerk of the Henderson County Court to transcribe and index certain records in his office.

By Mr. Harman—9. A bill in relation to the officers of elections in the county of Whitley.

By Mr. Bullitt—10. A bill for the benefit of Elizabeth Collins' devisees.

By Mr. Hundley—11. A bill to inclose a cross street in Pikeville, Pike county.

By Mr. Stivers—12. A bill to allow an additional Magistrates' and Constable's district in Owsley county.

By Mr. Canby—13. A bill to amend the charter of the Petersburg and Burlington Turnpike Road Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 3d, 5th, 6th, 8th, 9th, 11th, and 13th bills were severally ordered to be engrossed and read a third time; the 4th and 10th were referred to the committee on the Judiciary; the 7th to a committee of the whole; and the 12th to the committee on Propositions and Grievances.

The rule of the House, constitutional provision, and third reading of the 2d, 3d, 5th, 6th, 8th, 9th, 11th, and 13th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the Public Printer forthwith print 150 copies of the 7th bill for the use of the members of the General Assembly.

Mr. Barlow moved the following resolution, viz:

Whereas, it seems to have been the opinion of the framers of the present constitution of this state, that the office of president of the board of Internal Improvement was an unnecessary office; wherefore, they made a provision in said constitution authorizing the legislature to abolish said office: and, whereas, it is desired by many citizens of this commonwealth, that said office should be abolished, and the salary thereof be appropriated in aid of common schools in this state. Therefore,

*Be it resolved*, That the committee on Internal Improvement be, and they are hereby required to inquire into the propriety of abolishing said office, and report to this house within ten days.

Which was adopted.

Mr. Samuels moved the following resolution, viz:

*Resolved*, That the committee on the Code of Practice be required to inquire into the propriety and expediency of repealing that portion of said code requiring oaths to pleadings generally, except in such cases as were required previous to the adoption of the code.

Which was adopted.

Mr. A. M. Hume read and laid on the table the following resolution, to-wit:



*Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on the 22d instant, they adjourn sine die.*

Mr. Laffoon read and laid on the table the following resolution, to-wit:

*Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee, consisting of three members of this House and two from the Senate, be appointed to review the public grounds around the capitol, and report some suitable plan for inclosing the same, and the probable cost thereof.*

Leave was given to bring in the following bills, viz:

On motion of Mr. Anderson—1. A bill for the benefit of John Wallis.

On motion of Mr. Cox—2. A bill authorizing the County Judge of Oldham to alter the boundaries of Lagrange district for election and other purposes.

On motion of Mr. Park—3. A bill to change the time of holding Circuit Courts in the 10th judicial district.

On motion of Mr. J. J. Thomas—4. A bill to change a portion of the state road from Hopkinsville to Clarksville, Tennessee.

On motion of Mr. Williams—5. A bill for the benefit of School district No. 60, in Madison county.

On motion of Mr. Monroe—6. A bill to incorporate the Frankfort Woolen Company.

On motion of Mr. McKee—7. A bill to place a slab with suitable inscription on the grave of Col. Thomas Dollarhide, deceased, who departed this life whilst a member of the General Assembly from the county of Pulaski.

On motion of same—8. A bill to purchase two hundred copies of Milne and Bruder's map of Kentucky, to be placed in each Circuit and County Court Clerk's office.

On motion of Mr. Bane—9. A bill to change the line between the town of Tolesburg and James McCommie, in Lewis county.

On motion of Mr. Hundley—10. A bill to create the office and define the duties of the Marshal in the town of Booneville, in Owsley county.

On motion of Mr. Bullitt—11. A bill to provide for the election of additional constables in the city of Louisville.

On motion of Mr. Moran—12. A bill for the benefit of C. D. Gorch, and others, of Madison county.

On motion of Mr. Trimble—13. A bill to increase the jurisdiction of Magistrates.

On motion of Mr. Hagins—14. A bill to prevent obstructions in Quicksand creek, in Breathitt county.

On motion of Mr. Sallee—15. A bill to authorize the Register of the



Land Office to register and issue a patent to Wm. Meredith for a survey made in the name of Wm. Tuggle.

*Ordered*, That the committee on the Judiciary prepare and bring in the 1st and 14th; Messrs. Cox, Triplett, and Willingham, the 2d; the committee on Circuit Courts, the 3d; Messrs. J. J. Thomas, Seabee, and Golladay, the 4th; the committee on Education, the 5th; Messrs. Monroe, Marshall, and Musselman, the 6th; Messrs. McKee, Sallee, and Shepperd, the 7th; the committee on the Library, the 8th; the committee on Propositions and Grievances, the 9th; Messrs. Hundley, McKee, and Stivers, the 10th; Messrs. Bullitt, Craig, Musselman, and Bryan, the 11th; Messrs. Moran, Burnam, and Givens, the 12th; Messrs. Trimble, Burnett, and Edrington, the 13th; and Messrs. Sallee, McKee, and Grier, the 15th.

On motion of Mr. McKee,

*Ordered*, That Messrs. Monroe and J. H. Lewis be added to the committee on the Judiciary.

The House again resolved itself into a committee of the whole, on the bill extending the mechanics' lien law to all the mechanics of this state, Mr. Mitchell in the chair; and after some time spent therein, the Speaker resumed the chair, when Mr. Mitchell reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House without amendment, which he handed in at the Clerk's table.

The said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That carpenters, joiners, brick masons, stone masons, plasterers, painters, turners, brick makers, lumber merchants, sub-contractors, journey-men laborers, and all others performing labor, or furnishing materials for the construction or repair of any building in any county, city, or town of this commonwealth, shall and may have a joint or separate lien upon the building or buildings they may be employed to construct or repair, and the interest of the employer or owner in the lot or parcel of ground on which such building or buildings may be constructed or repaired, or for which they may furnish materials, to the extent of the labor done and materials furnished by them respectively : *Provided*, that no lien shall attach for any sum not amounting to ten dollars : *Provided*, that nothing herein contained shall be construed to affect, impair, or injure any lien or liens, whether by mortgage, deed of trust, or otherwise, which any person or persons, body politic or coporate, may have on the property by this act subjected to the lien or liens hereinbefore created and mentioned : *Provided*, also, that the lien or liens, by mortgage, deed of trust, or otherwise, shall have been created prior to the performance of the labor or the furnishing of the materials hereinbefore named.

§ 2. That any person or persons, having a lien under this act, may enforce the same by petition in equity in the circuit court of the county in which the work was done, or material furnished, at any time within six

months from the completion of the work or furnishing the materials; all persons having a lien may join in the petition against the employer or owner, or one or more of them may file a bill against the employer or owner, and other persons having a lien. Each claim shall be distinctly stated, and as distinct an answer shall be made to the same. The court, on application of either party, may direct an issue to be made, and a jury called to try the same, as in other actions at law; and when the claims of each shall be ascertained, the court shall decree the amount against the owner of the building or buildings, and direct the house or building, and the interest of the employer or owner in the lot or parcel of ground, to be sold on a credit of six and twelve months, and shall cause the sale money to be collected and distributed in payment of the amount decreed to the claimant: *or, provided*, that if the court shall deem it to the interest of said employer, owner or owners, the court shall have power, instead of decreeing a sale of said property, to render a decree, appoint one or more commissioners to lease out or rent the property to which said lien attaches, for the shortest space of time, to any person or persons who will pay off the respective claim or claims, decreed as aforesaid, and costs; and the commissioner is directed to enter into contract with the lessee, and put him in possession of said property immediately, or so soon as the lessee shall have paid the amount so bid by him, or shall have given bond and approved security, payable to the complainant or complainants, for the amount decreed and costs, within three months from the date thereof, with interest; which bond shall have the force and effect of a replevin or sale bond, and execution may issue thereon accordingly. And said court shall cause the lease money, when collected, to be distributed in payment of the amount decreed to the claimants. The amount due the claimants shall bear legal interest from the time the same shall have been due, by the contract of the parties; and the purchaser shall give bond and security to the commissioner for the amount of the purchase money, with interest thereon from the time of sale. The court, after the claimants have all been paid, shall direct the surplus to be paid over to the owner of the property; and should the proceeds of the sale or lease prove insufficient to pay all the claimants, that the court shall cause each to be paid in proportion to their respective debts.

§ 3. That when the terms of the lease, provided for in the preceding section of this act, shall expire, the possession of the property, so leased, shall be delivered up to the owner, or his or her legal representatives, and, upon failure of the lessee so to do, the party injured shall have the right to institute and maintain his or her action of forcible detainer against any person or persons holding over, or being in possession of the same.

§ 4. That none of the persons named in the first section of this act shall have a lien, if they have taken security for the payment of their claim or claims.

§ 5. That the plaintiff or plaintiffs in any suit instituted under the provisions of this act, may proceed to the proof of their respective claims immediately on the service of process, giving to the employer, contractor, or owner, or all of them, as the case may be, legal notice of the time and place of taking said proof, provided that said defendants

reside in said county. And any defendant or defendants claiming a lien, may proceed to the proof of their respective claims immediately on filing their respective answers, asserting and specifying their claims, and giving the notice herein required to be given. It shall not be necessary for a defendant or defendants, claiming a lien or relief against any plaintiff or co-defendant, to make their answers cross petitions against plaintiff or co-defendant; but the assertion of their respective claims and liens in their answers, with a prayer for all proper relief, shall be sufficient to authorize the court to enter the proper decree for relief against any of the plaintiffs or defendants.

§ 6. That immediately on the service of process, in any action instituted under the provisions of this act, any defendant or defendants may file with the clerk of the circuit court of the county, his or their answer, under oath, and the clerk shall indorse thereon the true time of filing the same; and twenty days shall be allowed defendants to file their answers after service of process. The cause shall stand for trial at the first term after service of process, if the same has been served twenty days before the commencement of the court, either at a common law or chancery term. The court, for good cause, may continue the suit, and may permit a defendant or defendants to file his or their answer at any time before the trial of the action, on such terms as the court may deem equitable.

§ 7. That where the defendant or defendants, who may have been sued under the provisions of this act, shall reside without this commonwealth, then and in that case, the plaintiff or plaintiffs, so suing, shall proceed in the same manner against said defendant or defendants as is now authorized by law in the circuit courts of this state, in the case of non-residents.

§ 8. That when any person or persons shall be entitled, under the provisions of this act, to a lien upon any house or building which may have been erected or required on any ground other than a city or town lot, that the same proceedings shall be held, in all respects, in such cases, as is provided for in the second section of this act, except that the court, in rendering a decree against any such house or building in the country, shall direct that the interest of the owner or employer in the ground upon which said house or building may stand, and not more than twenty acres of the farm or ground adjoining thereto, in convenient shape, shall be sold or leased as directed in said second section; and, if the court deem it necessary, a survey of said premises may be ordered.

§ 9. That it shall be the duty of the commissioner to make a deed to the purchaser of any property sold under the provisions of this act, on payment of the purchase money and interest.

Mr. Anderson moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Burnam and Lee, were as follows, viz :



## Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Jacob S. Golladay,	William McMillan,
William C. Anderson,	Grant Green,	Elijah S. Mitchusson,
William Bailey,	John J. Haley,	Robert O. Morgan,
Solomon Baker,	Charles J. Helm,	Joseph A. Nevitt,
Cleaton Bane,	Alvin Herndon,	William T. Samuels,
Joseph H. Barlow,	Thomas Hagins,	Elijah G. Seabee,
John S. Boyd,	John B. Holladay,	James C. Sprigg,
Charles M. Briggs,	Alvin M. Hume,	John J. Thomas,
A. D. Cosby,	Benjamin F. Hume,	Joshua H. Thomas,
Hezekiah Cox,	James H. Hundley,	William O. Thomson,
Jonathan Davis,	Henry S. Johnson,	Lawrence S. Trimble,
Francis U. Dodds,	Charles Lee,	John S. Williams,
Price Edrington,	Joseph H. Lewis,	Francis H. Winfrey,
John F. Gaar,	Henry D. McHenry,	Chas. G. Wintersmith—42.

## Those who voted in the negative, were

Granville C. Alfred,	Francis Ford,	Opie J. Lindsay,
Joshua F. Bullitt,	Thomas R. Givens,	George R. McKee,
Curtis F. Burnam,	William C. Grier,	Strother D. Mitchell,
Isaac Burnett,	David Griggs,	Andrew Monroe,
James L. Caldwell,	Thomas R. Harman,	Barnett C. Moran,
Charles G. C. Canby,	Garland Hurt,	Thomas J. Nash,
Robert M. Carlisle,	William G. Jackson,	John J. Park,
Edwin S. Craig,	John A. Keith,	Joel W. Sallee,
Ellis Duncan,	John B. Laffoon,	Daniel B. Stivers,
James Edelin,	John J. Landrum,	Thornton Triplett,
David Elms,	Robert G. Lewis,	Alex. H. Willingham—34.
Elisha S. Fitch,		

And then the House adjourned.

## THURSDAY, DECEMBER 4, 1851.

1. Mr. McNary presented the petition of John Campbell, and others, of Greenville, in Muhlenburg county, trustees of the Methodist Episcopal Church, praying the passage of a law permitting them to sell their church and vest the proceeds in another.

2. Mr. Williams presented the memorial of Francis Jackson, of Clarke county, upon the subject of certain roads.

3. Mr. Burnam presented the petition of P. H. West, of Rockcastle



county, praying an amendment to the laws in relation to school houses, &c.

4. Mr. Monroe presented the petition of the citizens of Bald Knob precinct, in Franklin county, praying a change in the place of voting in said precinct.

5. Mr. R. G. Lewis presented the petition of sundry citizens of Fleming county, in relation to the traffic in ardent spirits.

6. Mr. Mitchell presented the petition of sundry citizens of Montgomery county, on the same subject.

7. Mr. Sterett presented the petition of George Emmick, praying that further time may be allowed him to take the oath required by law in relation to an imported slave.

8. Mr. Fitch presented the petition of B. D. Lacy, for an increase of the salary of commonwealth's attorneys.

9. Mr. Kerrick presented the petition of the citizens of Jefferson county, residing in a certain boundary, praying that they may be incorporated into a company to drain the ponds in said boundary in order to promote the health thereof.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Religion; the 2d to the committee on Propositions and Grievances; the 3d to the committee on Education; the 4th to the committee on Privileges and Elections; the 5th and 6th to the committee on Ways and Means; the 7th and 8th to the committee on the Judiciary; and the 9th to the committee on Internal Improvement.

Mr. Burnam, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to re-establish and re-mark corners of the sectionized lands west of the Tennessee river, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Burnam, from the same committee, to whom was referred a bill for the benefit of the trustees of the town of Burlington, in Boone county, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled,

An act to amend the road law in Estill county.  
With an amendment.

That they had passed bills of the following titles, viz :

An authorizing appeals in certain contested elections.

An act to create the offices of Police Judge and Marshal in the town of Rumsey.

An act to change the time of holding the Johnson quarterly and county courts.

An act changing the time of holding the quarterly courts of the County Judge of Henry.

An act for the benefit of William Davis, former Sheriff of Whitley county.

An act authorizing the Marshal of the town of Hopkinsville to appoint a deputy.

Mr. Burnam, from the committee on the Judiciary, to whom was referred leave to bring in a bill the better to secure the interest of the heirs of estates sold by commissioners under a decree of the court, asked to be discharged from the further consideration of the same, which was granted.

Mr. Burnam, from the same committee, to whom was referred the petition of sundry citizens of Jefferson county, praying an appropriation in aid of the Colonization Society, asked to be discharged from the further consideration of the same, which was granted.

Mr. Burnam, from the same committee, to whom was referred a bill from the Senate, entitled, an act allowing jurors pay for their services before Justices of the Peace, reported the same without amendment.

*Ordered*, That said bill be referred to the committee on Revised Statutes.

Mr. Burnam, from the same committee, to whom was referred a bill from the Senate, entitled, an act to prevent the use of concealed weapons, reported the same without amendment.

*Ordered*, That said bill be referred to the committee of the whole, and made the special order of the day for the 10th inst.

A bill from the Senate, entitled, an act to amend an act, entitled, an act to regulate the retailing of ardent spirits, was read the third time.

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on the Judiciary—1. A bill for the benefit of John Wallis.

By the committee on Education—2. A bill to provide for the registration of births, deaths, marriages, &c.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was ordered to be engrossed and read a third time; the 2d was referred to the committee of the whole, and made the special order of the day for the 15th inst.

The rule of the House, constitutional provision, and third reading of 1st bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnam, from the committee on Education, reported a bill for the benefit of school districts in Madison and Caldwell counties, which was read the first time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the superintendent of public instruction be and he is hereby required to draw his warrant on the treasury for the sum of fifty-one dollars; which sum shall be paid over to the commissioners of common schools in Madison county, to be paid by them to Caleb Stone and Geo. Ross for the benefit of school district No. 60, in said county, in payment of school kept in 1851 at John Dawe's school house in said district, not reported by the trustees of said district.

§ 2. That the superintendent of public instruction be directed to draw his warrant on the treasury for the sum of seventy-seven dollars and twenty cents, to be paid out to the commissioners of schools in Caldwell county for the benefit of school district No. 41, in said county, for school taught in said district in 1850, not reported by the trustees of said district.

*Ordered*, That said bill be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Sprigg moved to refer said bill to the committee on Ways and Means.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Sprigg and Keith, were as follows, viz:

Those who voted in the affirmative, were

William C. Anderson,	James Edelin,	George R. McKee,
William Bailey,	David Elms,	Thomas J. Nash,
Cleaton Bane,	Jacob S. Golladay,	William T. Samuels,
Joseph H. Barlow,	Norvin Green,	Elijah G. Sebre,
John S. Boyd,	Thomas R. Harman,	James C. Sprigg,



Charles M. Briggs,  
A. H. Bryan,  
Willis S. Chaplin,  
Jonathan Davis,

Thomas Hagins,  
James H. Hundley,  
Chrales Lee,

Green Sterett,  
Joshua H. Thomas,  
Alex. H. Willingham—25.

Those who voted in the negative, were

Mr. Speaker, (Robertson,) Granville C. Alfred,  
Solomon Baker,  
James P. Bates,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
Isaac Burnett,  
James L. Caldwell,  
Charles G. C. Canby,  
Robert M. Carlisle,  
A. D. Cosby,  
Hezekiah Cox,  
Edwin S. Craig,  
Francis U. Dodds,  
Price Edrington,  
Christian Engleman,  
Francis Ford,  
John F. Gaar,  
Thomas R. Givens,  
William C. Grier,  
David Griggs,  
John J. Haley,

Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
John B. Holladay,  
Alvin M. Hume,  
Benjamin F. Hume,  
Garland Hurt,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John B. Laffoon,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
Thomas F. Marshall,  
Henry D. McHenry,  
William McMillan,  
William C. McNary,  
Strother D. Mitchell,

Elijah S. Mitchusson,  
Andrew Monroe,  
Barnett C. Moran,  
Robert O. Morgan,  
Samuel M. Moore,  
William F. Moore,  
Birch Musselman,  
Joseph A. Nevitt,  
Micajah Oglesby,  
Joel W. Sallee,  
Isaac N. Shepperd,  
Daniel B. Stivers,  
Napoleon B. Stone,  
John J. Thomas,  
William O. Thomson,  
Lawrence S. Trimble,  
Thornton Triplett,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
Francis H. Winfrey,  
Chas. G. Wintersmith—66.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,) Granville C. Alfred,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
Isaac Burnett,  
James L. Caldwell,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Willis S. Chaplin,  
A. D. Cosby,  
Hezekiah Cox,

Grant Green,  
John J. Haley,  
Thomas R. Harman,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
John B. Holladay,  
Alvin M. Hume,  
Benjamin F. Hume,  
Garland Hurt,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,

Elijah S. Mitchusson,  
Andrew Monroe,  
Barnett C. Moran,  
Robert O. Morgan,  
Samuel M. Moore,  
William F. Moore,  
Birch Musselman,  
Joseph A. Nevitt,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
William T. Samuels,  
Elijah G. Sebree,  
Daniel B. Stivers,



Edwin S. Craig,  
Jonathan Davis,  
Francis U. Dodds,  
Ellis Duncan,  
James Edelin,  
Price Edrington,  
Elisha S. Fitch,  
Francis Ford,  
John F. Gaar,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,

John A. Keith,  
Benjamin H. Kerrick,  
John B. Laffoon,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
Henry D. McHenry,  
George R. McKee,  
William McMillan,  
William C. McNary,  
Strother D. Mitchell,

Napoleon B. Stone,  
John J. Thomas,  
Joshua H. Thomas,  
William O. Thomson,  
Lawrence S. Trimble,  
Thornton Triplett,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
Alex. H. Willingham,  
Francis H. Winfrey,  
Chas. G. Wintersmith—78.

Those who voted in the negative, were

William C. Anderson,  
William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
Charles M. Briggs,

David Elms,  
Christian Engleman,  
William C. Grier,  
Norvin Green,  
Samuel Hatfield,

Charles Lee,  
Thomas J. Nash,  
Isaac N. Shepperd,  
James C. Sprigg,  
Green Sterett—16.

*Resolved*, That the title thereof be as aforesaid.

Mr. Williams, from the committee of conference, on the disagreement between the two houses on the amendments proposed by this House to a bill from the Senate, entitled, an act for the benefit of Mahlon Pruden, and others, reported that the committee had agreed that the bill be amended, by striking out "two thousand six hundred dollars," and insert "eighteen hundred dollars," and that the Senate recede from their disagreement to the 5th amendment proposed by this House to said bill.

And the question being taken on concurring in said report, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Bates and McKee, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,) Jacob S. Golladay,  
Granville C. Alfred, David Griggs,  
John S. Boyd, Grant Green,  
Charles M. Briggs, John J. Haley,  
A. H. Bryan, John B. Holladay,  
Joshua F. Bullitt, Benjamin F. Hume,  
Curtis F. Burnam, Garland Hurt,  
Issac Burnett, William G. Jackson,  
James L. Caldwell, John G. James,  
Charles G. C. Canby, Henry S. Johnson,  
Willis S. Chaplin, Alfred M. Jones,  
A. D. Cosby, John A. Keith,  
Hezekiah Cox, Benjamin H. Kerrick,  
Edwin S. Craig, John J. Landrum,  
Ellis Duncan, Joseph H. Lewis,  
Price Edrington, Robert G. Lewis,

Strother D. Mitchell,  
Andrew Monroe,  
Barnett C. Moran,  
Robert O. Morgan,  
William F. Moore,  
Birch Musselman,  
Thomas J. Nash,  
William T. Samuels,  
Elijah G. Seabee,  
Isaac N. Shepperd,  
Daniel B. Stivers,  
Napoleon B. Stone,  
John J. Thomas,  
Joshua H. Thomas,  
William O. Thomson,  
Thornton Triplett,

Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,

Opie J. Lindsay,  
Thomas F. Marshall,  
George R. McKee,  
William C. McNary,

Francis Troutman,  
John S. Williams,  
Francis H. Winfrey,  
Chas. G. Wintersmith—60.

Those who voted in the negative, were

William C. Anderson,  
William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John Calvert,  
Robert M. Carlisle,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,  
David Elms,

John F. Gaar,  
William C. Grier,  
Norvin Green,  
Thomas R. Harman,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
James H. Hundley,  
John B. Laffoon,  
Charles Lee,

William McMillan,  
Elijah S. Mitchusson,  
Samuel M. Moore,  
Joseph A. Nevitt,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
James C. Sprigg,  
Green Sterett,  
Lawrence S. Trimble,  
Drury Tye,  
Alex. H. Willingham—36.

A message was received from the Senate, announcing their concurrence in the report of the committee of conference, on the disagreement between the two houses on the amendments proposed by this House to a bill from the Senate, entitled, an act for the benefit of Mahlon Pruden, and others.

The Commissioners on the Code of Practice made a report, which is as follows, viz :

*To the General Assembly of the Commonwealth of Kentucky :*

From the state of health of one of their body, the two remaining commissioners appointed to prepare a code of practice have deemed it proper to limit their labors since the last session of the general assembly to completing the code in civil actions, without attempting to present a code in criminal pleadings. They have the honor of presenting for your consideration some amendments of, and additions to the code, which will render it substantially complete as to the civil action in all the courts of the commonwealth.

The principal change they propose in the code adopted at the last session, is a modification of the affidavit to proceedings. They propose to dispense with the affidavit to petitions in actions founded on written obligations of defendants, and also to amendments made to pleadings with the leave of court. The high evidence afforded of the genuineness of the claim by a written obligation in one case, and the security against abuse, by requiring the sanction of the court in the other, will obviate any serious evils from the want of the verification in those cases, while it will greatly diminish the inconveniences which have been complained of. Claims founded on written obligations are those most frequently sent from a distance for suit, and are consequently those in which the greatest inconvenience has been felt. The commissioners do not wish to encourage or render necessary a habit by attorneys of making affidavits to pleadings, except in cases in which they are personally cognizant of the facts, and upon that ground mainly have proposed the modification of the verification of amendments. These amendments frequently become

necessary during the progress of the trial, by the developments made in the testimony, and to require affidavits to them, would render the constant attendance of litigants necessary, which they fear would be found inconvenient, or lead to the verification being made by attorneys, which they would regard as an evil.

While, however, proposing these modifications, they deem it proper to state that their opinions as to the importance of the verification of pleadings are confirmed by all their subsequent reflections and the discussion the subject has undergone.

The additions which they present make but slight changes in the existing law, consisting chiefly of such modifications as were necessary to give reasonable uniformity to all civil proceedings and produce the greatest simplicity of which the subjects were capable.

All of which is respectfully submitted to your consideration.

M. C. JOHNSON,

J. HARLAN.

*Ordered*, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Helm, from the committee on the Code of Practice, reported a bill amending the Code of Practice, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, it was referred to the committee of the whole, and made the special order of the day for the 12th instant.

*Ordered*, That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Leave was given to bring in the following bills, viz :

On motion of Mr. S. M. Moore—1. A bill to incorporate the Turkey Foot Turnpike Road Company.

On motion of same—2. A bill to incorporate the Licking River Navigation Company.

On motion of Mr. McKee—3. A bill to authorize the Librarian to subscribe for all the newspapers and other journals and periodicals published in this commonwealth, and to keep a regular file thereof, and have the same bound and preserved in the state library.

*Ordered*, That the committee on the Judiciary prepare and bring in the 1st and 2d; and the committee on the Library, the 3d.

Mr. S. M. Moore moved the following resolution, viz :

*Resolved*, That the committee on Revised Statutes be required to inquire into the propriety of repealing section 16th, of article 6th, of chapter 14th, on the subject of "revenue and taxation"—the same being part of revised statutes passed at the last session of the general assembly—and that said committee report by bill or otherwise.

Which was adopted.



On motion of Mr. Stone,

*Ordered*, That he be excused from serving on the committee on Banks, and that Mr. Oglesby be added to said committee.

The House then resolved itself into a committee of the whole, on the bill to amend an act to organize county courts in the several counties, approved March 11, 1851, and to repeal the act to amend said act, approved March 24, 1851, Mr. Marshall in the chair; and after some time spent therein, the Speaker resumed the chair, when Mr. Marshall reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again.

And the question being taken on granting said leave, it was decided in the negative.

And then the House adjourned.

#### FRIDAY, DECEMBER 5, 1851.

1. Mr. McNary presented the petition of the trustees of the parsonage of the Greenville Methodist Church, praying permission to sell the same to pay the purchase money.

2. Mr. Triplett presented the petition of sundry citizens of Oldham county, praying the passage of a law in relation to the traffic in ardent spirits.

3. Mr. Winfrey presented the petition of sundry citizens of Cumberland county, in relation to the amount due school district No. 13, in said county.

4. Mr. Hagins presented the petition of Elizabeth Jones, praying additional compensation may be made her for the services of her deceased husband who was assessor of tax in said county.

5. Mr. Caldwell presented the petition of the citizens of Shelbyville, praying a modification of the law giving the trustees of Shelbyville power to grant tavern licenses.



6. Mr. Thomson presented the petition of sundry citizens of Bracken county, praying the passage of a law in relation to the traffic in ardent spirits.

7. Mr. Bailey presented the petition of Travis Daniel, praying the passage of a law granting him permission to stand a jack and stud in Owingsville.

8. Mr. Davis presented the petition of sundry citizens of Nelson county, praying to be added to the county of Spencer.

9. Mr. Jones presented the remonstrance of sundry citizens of Barren county, against the formation of a new county out of Barren, Cumberland, Green, and Adair.

10. Mr. Chaplin presented the petition of sundry citizens of Mercer county, praying the passage of a law in relation to the traffic in ardent spirits.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Religion; the 2d, 6th, and 10th, to the committee on the Judiciary; the 3d to the committee on Education; the 4th to the committee on Claims; the 5th to the committee on Circuit Courts; and the 7th, 8th, and 9th, to the committee on Propositions and Grievances.

A message was received from the Senate, announcing that they had receded from their amendment to a bill from this House, entitled, an act to regulate the duties of jailers relative to runaway slaves.

That they had passed bills from this House, of the following titles, to-wit:

An act changing the time of holding the Court of Claims in Mason county.

An act changing the time of holding the Court of Claims in Oldham county.

An act for the benefit of the town of Lebanon, in Marion county.

An act to extend the corporate limits of the town of Poplar Plains, in Fleming county.

With an amendment to the last named bill.

That they had passed bills and a resolution, of the following titles, to-wit:

An act to regulate the time of holding the courts of Justices of the Peace.

An act to change the time of holding the Circuit Courts for the counties of Daviess, Ohio, and Muhlenburg.

An act to incorporate the Louisville Farmers Tobacco Warehouse Company.

An act declaring the Elk Fork of Licking and Greasy creek, navigable.

And a resolution for the election of public officers.

Mr. Helm, from the committee on the Code of Practice, to whom was referred the resolution moved by Mr. Cox on the 2d inst., asked to be discharged from the further consideration of the same, which was granted.

Mr. Helm, from the same committee, to whom was referred leave to bring in a bill to repeal sections 519, 520, 521, 522, 523, 524, 525, 541, and 545, of an act, entitled, an act to establish a code of practice in civil cases in the courts of this commonwealth, approved March 22, 1851, asked to be discharged from the further consideration of the same, which was granted.

Mr. Wintersmith, from the committee on Revised Statutes, to whom was referred a bill to amend an act, entitled, an act to amend the revenue laws, approved February 10, 1845, reported the same without amendment, accompanied with the following report, viz :

The committee on Revised Statutes, to whom was referred "a bill to amend an act, entitled, an act to amend the revenue law, approved February 10, 1845," report the same to the house with the opinion that no such legislation as contained in said bill is necessary. The bill does nothing more, in the opinion of the committee, than give to the act referred to such a construction as can only be given to the act of February 10, 1845, itself, by its own language and terms. The requisition that the assessor of tax shall require the person rendering his list of taxable property, after rendering the schedule of his property required to be specifically listed, also to state "what he is worth from all other sources;" or, as in the act of 1837, "to fix a sum which will cover all he is worth from all other sources," can certainly only be construed to mean what he is worth, and not what he is not worth. How a man can arrive at what he is worth without deducting his debts from his assets or resources, your committee are at a loss to discern. The only proper interpretation which, in the opinion of the committee, can be given to the law as it now exists, is that when the tax payer is required to say what he is worth, he has the clear and indisputable right to sum up all he has in property, not specifically listed and not included in the exceptions, and all which may be due him from others, at the fair value of such debts, and from the gross sum deduct the amount he is indebted; and the balance, if any, is the amount he is worth, and required to list and pay taxes for, and no more

CHAS. G. WINTERSMITH, *Ch.*

C. M. BRIGGS,

E. S. CRAIG,

H. D. McHENRY.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Winfrey, from the committee on Propositions and Grievances, to

whom was referred a bill to allow an additional Magistrates' and Constable's district in Owsley county, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Winfrey, from the same committee, to whom was referred a bill changing a portion of the line between Greenup and Carter counties, reported the same without amendment.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative; and so the said bill was rejected.

Mr. Anderson, from the committee on Claims, to whom was referred the petition of John Springer, reported the same with the following resolution, viz :

*Resolved*, That said petition be rejected.

Which was concurred in.

Mr. Burnam, from the committee on the Judiciary, made the following report, viz :

The committee on the Judiciary, to whom was referred a resolution instructing them to inquire into the construction and effect of section 20, of an act, entitled, an act to organize county courts in the several counties, approved March, 11, 1851, and whether it is made the duty of the auditor to settle the jury fees in the cases referred to in said section, or whether such fees should be paid out of the county treasuries, have had the same under consideration, and respectfully report : That the purpose of the legislature in the passage of that section of the act evidently was to submit to a jury the facts in issue in proceedings in bastardy cases—a provision unknown to the statute passed December 14, 1795. The propriety of this cannot be questioned. A single person now constitutes the county court, whereas under the system in force, before the adoption of the present constitution, the county court consisted of not less than three persons. Moreover, it had been once decided by the appellate court that they had no jurisdiction to correct the judgment of the county court upon the question of *fact*, whether the party be the father of the illegitimate child or not—1 Mar., 45—and this is the reason why a jury is provided.

Although the proceedings under the act of 1795, and also of the act of 1851, are not in the nature of criminal proceedings, but to coerce a duty from an unfeeling father for the mother's benefit, they are nevertheless proceedings in the name of the commonwealth, instituted and prosecuted as all other proceedings of the like nature. The commonwealth pays no jury fees or other costs in any case; certainly then no jury fees in such cases can possibly be collected out of the state treasury. The committee further believe that no jury fee in such cases either should be



paid out of the county levy. None should be or can be legally taxed up in any such case. The commonwealth, if successful in such cases, receives from the defendant her costs expended, not including jury fees; and if not successful, each party pays his own costs. Feeling that this matter is one of importance, they have been thus explicit in making their views plain to the house, and they ask to be discharged from the further consideration of the resolution.

Mr. Burnam, from the same committee, made the following report, to-wit:

The committee on the Judiciary, to whom was referred the resolution offered by the member from Shelby, with petition accompanying the same hereto annexed, have had the same under consideration, and respectfully report: That as a vote of the citizens of Shelby county was taken according to law, and after the notice given as required by 22d section of the statute, approved March, 1851, entitled, "an act to incorporate the Shelby railroad company," and as a majority of all the voters qualified to vote, and who did vote at said election, voted against the subscription of stock in the various roads contemplated in said act, that therefore the county court of Shelby county has no power under said act to pass an order directing the presiding member of said court, on behalf of said county, to subscribe stock in said roads—and that to vest said court with said power, said act, or one containing similar provisions, should be re-enacted.

"*Resolved*, That the petition from the citizens of Shelby county be referred to the committee on the Judiciary, with instructions to inquire into the existing force and effect of the 22d, 23d, and 24th sections of the act, entitled, "an act to incorporate the Shelby railroad company," and to inquire into the existing force and effect of any parts of said act which authorizes the county court of Shelby to take the vote of the people of that county as to the propriety of taking stock in railroads, turnpike, and plank roads; and if the committee ascertain that such parts of said act above referred to have now no force and effect, they are hereby instructed to make their report accordingly."

The committee ask to be discharged from any further consideration of said resolution.

Mr. Burnam, from the same committee, to whom was referred a bill to incorporate the town of Marion, in Crittenden county, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnett, from the committee on Ways and Means, to whom was referred the petition of sundry citizens of Fleming county, and the petition of sundry citizens of Montgomery county, praying the passage of a law in relation to the traffic in ardent spirits, asked to be discharged from the further consideration of the same, which was granted.



Mr. Burnett, from the same committee, to whom was referred the resolution moved by Mr. Edelin on the 2d instant, asked to be discharged from the further consideration of the same, which was granted.

Mr. Burnett, from the same committee, to whom was referred the petition of citizens of Rockcastle county, praying an appropriation in aid of the Colonization Society, asked to be discharged from the further consideration of the same, which was granted.

Mr. Burnett, from the same committee, to whom was referred the petition of the citizens of Princeton, in Caldwell county, asked to be discharged from the further consideration of the same, which was granted.

Mr. Burnett, from the same committee, to whom was referred leave to bring in a bill to exempt the "fair grounds" at Lexington from taxation, asked to be discharged from the further consideration of the same, which was granted.

Mr. Burnett, from the same committee, to whom was referred a bill for the benefit of George H. Morrow, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Circuit Courts—A bill to change the time of holding the Clinton Circuit Court, and allowing an additional week to the Cumberland Circuit Court.

By the committee on the Judiciary—A bill to incorporate the Winchester and Kiddville Turnpike Road Company.

By the committee on Ways and Means—A bill for the benefit of the Sheriff of Pendleton county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Barlow, leave of absence until Tuesday next was granted to Mr. Calvert.

On motion of Mr. Hurt, leave of absence until Monday next was granted to Mr. Herndon.

Mr. McNary, from the committee on Internal Improvement, to whom was referred a bill to incorporate the Louisville and Jeffersontown Plank Road Company, reported the same without amendment.

*Ordered*, That said bill be referred to the committee of the whole for this day.

The House accordingly resolved itself into a committee of the whole on said bill, Mr. N. Green in the chair; and after some time spent therein, the Speaker resumed the chair, when Mr. Green reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

Mr. McKee read and laid on the table the following resolution, to-wit:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a joint committee of three members of the House of Representatives, and two from the Senate, be appointed to confer with the mayor and council of the city of Louisville, and ascertain upon what terms suitable buildings and offices can be procured for the officers of state, in the event the seat of government be removed to Louisville, and report the result.

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with, the said resolution was twice read, and concurred in.

Leave was given to bring in the following bills, viz:

On motion of Mr. Burnam—1. A bill for the benefit of mechanics and other laborers in Woodford and Madison counties.

On motion of Mr. Marshall—2. A bill to amend an act, entitled, an act to incorporate the Kentucky Female Orphan School.

On motion of Mr. Kerrick—3. A bill to change one of the voting precincts in Jefferson county.

*Ordered*, That Messrs. Burnam, Marshall, and Moran, prepare and bring in the 1st; the committee on the Judiciary, the 2d; and Messrs. Kerrick, Bullitt, and Gaar, the 3d.

And then the House adjourned.

SATURDAY, DECEMBER 6, 1851.

A message was received from the Governor, announcing that he had approved and signed enrolled bills, which originated in this House, of the following titles, viz :

An act incorporating the Kentucky State Medical Society.

An act to divide district No. 4, in Trigg county.

An act to amend the charter of the Union and Florence Turnpike Road Company.

An act to incorporate Mangum Lodge, No. 21, I. O. O. F.

An act to amend the charter of the Covington and Lexington Railroad Company.

An act to amend an act, entitled, an act to incorporate the Lexington, Owingsville, and Big Sandy Railroad Company.

An act to authorize the Crittenden County Court to change the State road to Flynn's ferry.

An act amending the charter of the Maysville and Mountsterling Turnpike Road Company.

An act to change the State road leading from Georgetown to Covington.

An act to incorporate Mason Lodge, No. 33, I. O. O. F.

An act to amend an act, entitled, an act to incorporate Odd Fellows Hall, of Newport, Kentucky, approved February 25, 1849.

An act to change the time of holding Justices' quarterly courts in the county of Washington.

An act to change the time of holding the quarterly terms of the Pendleton County Court.

An act declaring Jenny's creek and Grassy creek navigable streams.

An act to change the place of voting in Caldwell county, in district No. 4.

An act to incorporate the Union and Beaver Turnpike Road Company.

Approved November 24, 1851.

An act to create the office of Marshal of the town of Hartford.

An act to establish the town of Duncansville.

An act incorporating the Newport and Cincinnati Bridge Company.

An act to incorporate the Estill Springs Company.

An act to incorporate McClure Chapter, No. 48, of Royal Arch Masons, in Crittenden, Grant county.

An act authorizing the Judge of the Boyle County Court to sell a portion of the court house lot.

An act to incorporate Campbell Female College, in Campbell county.

An act for the benefit of the late sheriffs of the several counties in this state.

An act for the benefit of School districts No. 21, in Calloway county, and No. 37, in Hardin county.

An act dividing School district, No. 58, in Adair county.

An act for the benefit of James C. Calhoun, Sheriff of McCracken county.

An act to provide for the better regulation and support of the public schools in the city of Newport.

An act for the benefit of the mechanics of Monroe county.

An act to amend an act, entitled, an act to organize county courts in the several counties, approved March 11, 1851.

An act repealing all acts permitting the County Court of Larue county to subscribe stock in railroads and turnpike roads.

An act to allow the Taylorsville and Louisville Turnpike Company to erect a gate near Jeffersontown.

An act for closing up certain old roads in Fleming county.

An act to incorporate the St. Joseph's Orphans' Society, of Louisville.

An act to legalize the acts of certain officers.

An act to empower the trustees of Williamsburg to sell a portion of a street in said town.

An act to amend an act, entitled, an act to amend the laws regulating the town of Millersburg, in the county of Bourbon.

An act for the benefit of the trustees of the town of Hartford.

An act to incorporate the Rough Creek Navigation and Manufacturing Company.

An act to amend the charter of the Shelbyville and Louisville Turnpike Road Company.

An act for the benefit of the late Clerks of the Circuit and County Courts.

An act for the benefit of the Lancaster and Crab Orchard Turnpike Road Company.

An act in relation to Common School district No. 12, in Whitley county.

An act to incorporate Forrest Spring College, in Allen county.

An act to change the lines in Magistrates' and Constable's district, No. 1, in Lincoln county.

An act to legalize the proceedings of the Daviess County Court.



An act to create the offices of Police Judge and Town Marshal in the town of Shepherdsville.  
Approved December 2, 1851.

Mr. Triplett moved the following resolution, viz :

*Resolved* That hereafter, on every Saturday morning during the session of this legislature, the first business in order after petitions shall be the call of the counties, and the reports from select committees

Which was adopted.

1. Mr. Jackson presented the petition of James C. Matherly, praying compensation for boarding a prisoner and guard.

2. Mr. Engleman presented the petition of sundry citizens of Lincoln county, praying a change in an election precinct in said county.

3. Mr. Keith presented the petition of sundry citizens of the city of Maysville, praying that the mayor and council be permitted to license ten pin alleys.

4. Mr. A. M. Hume presented the petition of sundry citizens of districts Nos. 2 and 4, in Harrison county, praying to be added to district No. 3, in said county.

5. Mr. McNary presented the petition of the trustees of school district No. 8, in Muhlenburg county, praying that the amount due them for the year 1851 may be paid.

6. Mr. Davis presented the remonstrance of sundry citizens of Nelson county, against adding a part of said county to the county of Spencer.

7. Mr. Bane presented the petition of sundry citizens of Lewis county, praying the passage of a law in relation to the traffic in ardent spirits.

8. Mr. Bullitt presented the petition of sundry citizens of the city of Louisville, for the appointment of deputy constables.

9. Mr. Bates presented the remonstrance of sundry citizens of Barren county, against the formation of a new county out of parts of Green, Barren, Adair, and Cumberland.

10. Mr. Carlisle presented the petition of sundry citizens of Kenton county, praying that the County Judge may hold four courts in Covington.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims; the 2d and 4th to the committee on Privileges and Elections; the 3d and 8th to the committee on the Judiciary; the 5th to the committee on Education; the 6th and 9th to the committee on Propositions and Grievances; the 7th to the committee on Ways and Means; and the 10th to Messrs. Carlisle, Winfrey, and Helm.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz :

An act for the benefit of the Sheriff of Breathitt county.

An act for the benefit of the Sheriff of Butler county.

An act for the benefit of Elisha Breeding.

That they had passed bills of the following titles, viz :

An act for the benefit of John Betts, jailer of Fulton county.

An act to incorporate the General Association of Baptists in Kentucky.

An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

An act in relation to the Springfield, Maxville, and Harrodsburg Turnpike Road Company.

An act to provide for the construction of a levee from the town of Hickman to the Tennessee line.

Mr. Wintersmith, from the committee on Revised Statutes, reported a bill to adopt the revised statutes, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Wintersmith, from said committee, moved sundry amendments to said bill.

*Ordered*, That said bill and amendments be made the special order of the day for the 9th inst., and that the Public Printer forthwith print 150 copies of said amendments for the use of the members of the General Assembly.

Mr. Sebrree, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled,

An act to amend the charter of the Louisville and Covington Railroad Company.

And had found the same truly enrolled.

And bills which originated in this House, of the following titles, to-wit :

An act authorizing a special term of the Fleming Circuit Court.

An act for the benefit of persons holding lands lying back of other lands in the vicinity of any navigable streams in this state.

An act changing the time of holding the Court of Claims in Oldham county.

An act for the benefit of the town of Lebanon, in Marion county.

An act changing the time of holding the Court of Claims in Mason county.

An act to regulate the duties of Jailers relative to runaway slaves.

An act to incorporate Pitman Lodge, No. 124.

An act for the benefit of the Sheriff of Garrard county.

An act for the benefit of Stephen Adams, Deputy Sheriff of Clarke county.

An act for the benefit of John Friend and Jacob Fitzpatrick.

An act to incorporate the town of Eminence.

An act to incorporate Caseyville Lodge, No. 168, of Free and Accepted Masons.

An act to incorporate Clay Lodge, No. 38, Independent Order of Odd Fellows.

An act to amend an act, entitled, an act incorporating the town of Livermore, in Ohio county, and for other purposes.

An act authorizing portions of the State roads in Kenton county to be closed.

An act authorizing the Ohio County Court to establish a new election precinct, and change the boundaries of others in said county.

An act declaratory of the power of the city of Lexington to tax Insurance companies and Lottery offices.

On motion of Mr. McKee,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill to incorporate the Louisville and Jefferson-town Plank Road Company.

Mr. Anderson moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Winfrey, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Newport, praying an extension of the limits of said city, asked to be discharged from the further consideration of the same, which was granted.

Mr. Winfrey, from the same committee, to whom was referred a bill authorizing the County Court of Campbell county to establish additional ferries at Newport, reported the same with an amendment.

*Ordered*, That said bill and amendment be referred to the committee on the Judiciary.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Propositions and Grievances—1. A bill to establish and regulate the width of a certain portion of the road leading from Richmond to Mountsterling.

By the committee on Privileges and Elections—2. A bill allowing an additional Magistrates' and Constable's district in Pulaski county.

By same—3. A bill changing the lines of districts in Lewis and Madison counties.

By the committee on the Judiciary—4. A bill to prevent the erection of obstructions on Quicksand creek, in Breathitt county.

By same—5. A bill to authorize Justices of the Peace to hold inquests in certain cases.

By same—6. A bill to incorporate Simpson Lodge, No. 189, of Free and Accepted Masons.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill to amend an act to organize county courts in the several counties, approved March 11, 1851, and to repeal the act to amend said act, approved March 24th, 1851, and that said bill be referred to the committee on Revised Statutes.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill to amend an act, entitled, an act further to provide for the collection of tolls on Kentucky, Green, and Big Barren rivers, reported the same with an amendment.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House then resolved itself into a committee of the whole, on the bill to amend the law regulating proceedings in criminal cases, Mr. Bullitt in the chair; and after some time spent therein, the Speaker resumed the chair, when Mr. Bullitt reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.



MONDAY, DECEMBER 8, 1851.

1. Mr. McNary presented the petition of sundry citizens of school district No. 5, in Muhlenburg county, praying that the Superintendent of Public Instruction may be permitted to receive the report of the commissioners of said district.

2. Mr. Wilmore presented the petition of sundry citizens of Jessamine county, praying for an appropriation in aid of the Colonization Society.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education; and the 2d to the committee on Ways and Means.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to authorize William Garrard to build a fish dam and trap across Main Licking river.

An act to authorize a change in the state road leading from Louisville to Hopkinsville.

An act to incorporate Proctor Division, No. 205, Sons of Temperance.

An act to incorporate the town of Lovelaceville, in Ballard county.

An act to amend the several acts regulating the election of trustees of the town of Scottsville.

An act to change the time of holding the Court of Claims in Bath county.

An act for the benefit of Johulel Hawes, Sheriff of Lawrence county.

An act to inclose a street in Pikeville, Pike county.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act to amend an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850.

An act to punish persons for endangering life by placing obstructions on railroads.

An act to amend the laws relating to Georgetown.

An act concerning the Court of Claims in Shelby county.

An act allowing a special term of the Fleming County Court.

An act to amend an act, entitled, an act to incorporate and establish the town of Fairview, in Todd and Christian counties.

That they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend and reduce into one the several acts concerning private passways in Mercer county.

An act to incorporate Friendship Lodge, No. 5, I. O. O. F., at Lexington, Kentucky.

An act to prescribe the term of office for the inferior officers of this Commonwealth.

An act for the benefit of the Sheriff of Ohio county.

An act to change the time of holding the quarterly courts of the Presiding Judge in Russell county. Approved November 24, 1851.

An act regulating the time of holding the Green County Court.

An act legalizing the election of the Marshal of the town of Independence.

An act to appropriate land warrants in the county of Knox.

An act to change the time of holding the Christian County Chancery Court.

An act to increase and define the powers of the Marshal of the town of Blandville, in Ballard county.

An act to amend the act, entitled, an act to incorporate the Maysville and Big Sandy Railroad Company, approved December 18, 1850.

An act to amend an act, entitled, an act to incorporate the Trustees of the Kentucky Baptist Education Society, approved January 15, 1829.

An act to amend an act, entitled, an act to incorporate the Georgetown and Lemon's Mill Turnpike Road Company, approved 24th March, 1851.

An act to require the County Court of Bourbon county to subscribe to the stock of the Covington and Lexington Railroad Company.

Approved November 25, 1851.

An act to charter the Louisville and Covington Railroad Company.

Approved November 28, 1851.

An act to amend the charter of the Southern Bank of Kentucky.

An act to repeal an act to authorize the County Courts of Nelson and Barren counties to subscribe stock in the Louisville and Nashville Railroad Company, approved 15th March, 1851.

An act repealing all acts allowing the appointment of deputy constables. Approved December 2, 1851.

The House resumed the consideration of the bill to amend an act, entitled, an act further to provide for the collection of tolls on Kentucky, Green, and Big Barren rivers, and the amendment proposed thereto by the committee on the Judiciary.

Said bill reads as follows, viz :

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the rates of toll as established by the Board of Internal Improvement on the 1st day of January, 1851, shall, from and after the passage of this act, no longer be collected or chargeable on any flat boat descending Kentucky river and its tributaries, Green river and its tributaries, Big Barren river and its tributaries, from any point or place above the influence of slackwater navigation ; but that all such boats shall be allowed to pass the locks and dams on said rivers and their tributaries by paying toll according to the rates established previous to the 1st day of January, 1851.

The amendment proposed by the committee is to add to the bill the following, viz :

§ 2. That flat boats, and other craft, except steamboats, descending Kentucky river from any point above the mouth of Dick's river, shall not be compelled to pay any toll at the locks and dams on said river, for passing through the same ; and the keepers of said locks shall be compelled to pass said boats and other crafts through, and for every failure shall be liable to all the penalties now inflicted by law for the obstruction of navigation.

§ 3. Before any flat boatman, or supercargo of any other craft shall have the benefit of this act, he shall produce a certificate or affidavit, sworn to before a justice of the peace, that said boat or other craft descended from a point above the mouth of Dick's river.

Mr. McNary moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. McNary and McKee, were as follows, viz :

Those who voted in the affirmative, were

A. D. Cosby,	Thomas R. Givens,	William C. McNary,
Francis U. Dodds,	Jacob S. Golladay,	Elijah S. Mitchusson,
Christian Engleman,	David Griggs,	Elijah G. Sebree,
Francis Ford,	John J. Haley,	James C. Sprigg—12.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	William C. Grier,	Andrew Monroe,
Granville C. Alfred,	Charles J. Helm,	Robert O. Morgan,
William C. Anderson,	Thomas Hagins,	Birch Musselman,
William Bailey,	Alvin M. Hume,	Thomas J. Nash,
Cleaton Bane,	Benjamin F. Hume,	Joseph A. Nevitt,
Joseph H. Barlow,	James H. Hundley,	Micajah Oglesby,
James P. Bates,	Garland Hurt,	John J. Park,
John S. Boyd,	William G. Jackson,	Joel W. Sallee,
Charles M. Briggs,	John G. James,	William T. Samuels,
Curtis F. Burnam,	Henry S. Johnson,	Daniel B. Stivers,
Issac Burnett,	Alfred M. Jones,	Napoleon B. Stone,
James L. Caldwell,	John A. Keith,	Joshua H. Thomas,

Charles G. C. Canby,  
Robert M. Carlisle,  
Willis S. Chaplin,  
Hezekiah Cox,  
Edwin S. Craig,  
Jonathan Davis,  
James Edelin,  
Price Edrington,  
David Elms,  
Elisha S. Fitch,  
John F. Gaar,

John B. Laffoon,  
John J. Landrum,  
Charles Lee,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
Henry D. McHenry,  
George R. McKee,  
William McMillan,  
Strother D. Mitchell,

William O. Thomson,  
Lawrence S. Trimble,  
Thornton Triplett,  
Drury Tye,  
William C. Webster,  
John S. Williams,  
Alex. H. Willingham,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—67.

The amendment proposed by the committee was then withdrawn.

Mr. Webster moved the previous question.

And the question being taken—"shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Sprigg and Triplett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	William C. Grier,	Barnett C. Moran,
Granville C. Alfred,	David Griggs,	Robert O. Morgan,
William C. Anderson,	John J. Haley,	William F. Moore,
William Bailey,	Samuel Hatfield,	Birch Musselman,
Cleaton Bane,	Charles J. Helm,	Thomas J. Nash,
James P. Bates,	Alvin Herndon,	Joseph A. Nevitt,
John S. Boyd,	Thomas Hagins,	Micajah Oglesby,
Curtis F. Burnam,	John B. Holladay,	John J. Park,
Isaac Burnett,	Alvin M. Hume,	Joel W. Sallee,
James L. Caldwell,	Garland Hurt,	William T. Samuels,
Charles G. C. Canby,	William G. Jackson,	Green Sterett,
Robert M. Carlisle,	John G. James,	Daniel B. Stivers,
Hezekiah Cox,	Henry S. Johnson,	Napoleon B. Stone,
Jonathan Davis,	Alfred M. Jones,	John J. Thomas,
Francis U. Dodds,	John A. Keith,	Joshua H. Thomas,
James Edelin,	John B. Laffoon,	William O. Thomson,
Price Edrington,	Charles Lee,	Francis Troutman,
David Elms,	Joseph H. Lewis,	Drury Tye,
Christian Engleman,	Thomas F. Marshall,	William C. Webster,
Elisha S. Fitch,	Henry D. McHenry,	James C. Wilmore,
Francis Ford,	George R. McKee,	Francis H. Winfrey,
John F. Gaar,	William McMillan,	Chas. G. Wintersmith—68.
Jacob S. Golladay,	Strother D. Mitchell,	

Those who voted in the negative, were

Charles M. Briggs,	Benjamin F. Hume,	Andrew Monroe,
Joshua F. Bullitt,	John J. Landrum,	Isaac N. Shepperd,
Willis S. Chaplin,	Robert G. Lewis,	James C. Sprigg,
A. D. Cosby,	Opie J. Lindsay,	Lawrence S. Trimble,
Thomas R. Givens,	William C. McNary,	Thornton Triplett,
Thomas R. Harman,	Elijah S. Mitchusson,	Alex. H. Willingham—18.

The main question was then put—"shall said bill be engrossed and read a third time?" and it was decided in the affirmative.



The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. McNary and Sprigg, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	William C. Grier,	Andrew Monroe,
Granville C. Alfred,	Samuel Hatfield,	Barnett C. Moran,
William C. Anderson,	Charles J. Helm,	William F. Moore,
William Bailey,	Alvin Herndon,	Birch Musselman,
Cleaton Bane,	Thomas Hagins,	Thomas J. Nash,
Joseph H. Barlow,	John B. Holladay,	Joseph A. Nevitt,
James P. Bates,	Alvin M. Hume,	Micajah Oglesby,
John S. Boyd,	Benjamin F. Hume,	John J. Park,
Charles M. Briggs,	Garland Hurt,	Joel W. Sallee,
A. H. Bryan,	William G. Jackson,	William T. Samuels,
Joshua F. Bullitt,	Alfred M. Jones,	Isaac N. Shepperd,
Curtis F. Burnam,	John G. James,	Napoleon B. Stone,
Isaac Burnett,	Henry S. Johnson,	John J. Thomas,
James L. Caldwell,	John A. Keith,	Joshua H. Thomas,
Charles G. C. Canby,	Benjamin H. Kerrick,	William O. Thomson,
Robert M. Carlisle,	John B. Laffoon,	Lawrence S. Trimble,
Willis S. Chaplin,	John J. Landrum,	Thornton Triplett,
Hezekiah Cox,	Chrales Lee,	Francis Troutman,
Edwin S. Craig,	Joseph H. Lewis,	Drury Tye,
Jonathan Davis,	Robert G. Lewis,	William C. Webster,
James Edelin,	Henry D. McHenry,	Alex. H. Willingham,
Price Edrington,	George R. McKee,	James C. Wilmore,
David Elms,	William McMillan,	Francis H. Winfrey,
Elisha S. Fitch,	Srother D. Mitchell,	Chas. G. Wintersmith—73.
John F. Gaar,		

Those who voted in the negative, were

A. D. Cosby,	David Griggs,	Robert O. Morgan,
Francis U. Dodds,	John J. Haley,	Elijah G. Seabee,
Christian Engleman,	Thomas R. Harman,	James C. Sprigg,
Francis Ford,	Opie J. Lindsay,	Green Sterett,
Thomas R. Givens,	William C. McNary,	Daniel B. Stivers—17.
Jacob S. Golladay,	Elijah S. Mitchusson,	

*Resolved*, That the title of said bill be as aforesaid.

*Ordered*, That leave of absence be granted to Mr. Marshall until tomorrow.

Mr. McKee, from the committee on the Judiciary, to whom was referred the petition of sundry citizens of Oldham and Mercer counties, in relation to the traffic in ardent spirits; also, the petition of sundry citizens of Oldham and Jefferson counties, praying an appropriation in aid of the colonization society; also, the petition of B. D. Lacy, in relation to an increase of the salary of attorneys for the commonwealth,

asked to be discharged from the further consideration of the same, which was granted.

Mr. McKee, from the same committee, reported a bill to incorporate the Newport and Maysville Railroad Company, which was read the first time.

*Ordered*, That said bill be read a second time to-morrow, at eleven o'clock.

Mr. Burnam, from the same committee, to whom was referred a bill to prevent county attorneys from purchasing claims on the county treasuries, reported the same with an amendment, which was concurred in.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be amended to read, "an act to prevent certain officers from speculating in claims on the county treasuries."

Mr. Burnam, from the same committee, to whom was referred a bill authorizing the County Court of Campbell county to establish additional ferries at Newport, reported the same without amendment.

And the question being taken on re-engrossing and reading said bill a third time, it was decided in the negative; so the said bill was rejected.

Mr. McNary, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to incorporate the Ohio river, Bedford, and Campbellsburg Plank Road Company, reported the same with an amendment, which was concurred in.

*Ordered*, That said bill be read a third time, as amended.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Triplett, from the committee on Education, to whom was referred the petition of P. H. West, asked to be discharged from the further consideration thereof, which was granted.

Mr. Triplett, from the same committee, reported a bill for the benefit of certain school districts in Cumberland county, which was the first time as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Superintendent of Public Instruction be and he is hereby authorized to draw his warrant upon the treasury for the sum of two hundred and twelve dollars and forty cents, for the benefit of school districts Nos. 5, 15, 17, 18, 20, 24, 27, and 39, in Cumberland county, for schools taught in 1850, not heretofore reported.

*Ordered*, said bill be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	David Griggs,	Strother D. Mitchell,
Granville C. Alfred,	John J. Haley,	Elijah S. Mitchusson,
William C. Anderson,	Samuel Hatfield,	Andrew Monroe,
William Bailey,	Charles J. Helm,	Barnett C. Moran,
Joseph H. Barlow,	Alvin Herndon,	Robert O. Morgan,
James P. Bates,	Thomas Hagins,	Birch Musselman,
Charles M. Briggs,	John B. Holladay,	Thomas J. Nash,
A. H. Bryan,	Alvin M. Hume,	Micajah Oglesby,
Joshua F. Bullitt,	Benjamin F. Hume,	John J. Park,
Curtis F. Burnam,	James H. Hundley,	Joel W. Sallee,
Isaac Burnett,	Garland Hurt,	William T. Samuels,
James L. Caldwell,	William G. Jackson,	Elijah G. Seabee,
Charles G. C. Canby,	John G. James,	Isaac N. Shepperd,
Robert M. Carlisle,	Henry S. Johnson,	Green Sterett,
Willis S. Chaplin,	Alfred M. Jones,	Napoleon B. Stone,
A. D. Cosby,	John A. Keith,	John J. Thomas,
Hezekiah Cox,	Benjamin H. Kerrick,	Joshua H. Thomas,
Edwin S. Craig,	John B. Laffoon,	William O. Thomson,
Jonathan Davis,	John J. Landrum,	Lawrence S. Trimble,
Francis U. Dodds,	Charles Lee,	Thornton Triplett,
James Edelin,	Joseph H. Lewis,	Francis Troutman,
Price Edrington,	Robert G. Lewis,	Drury Tye,
David Elms,	Opie J. Lindsay,	William C. Webster,
Elisha S. Fitch,	Henry D. McHenry,	John S. Williams,
Francis Ford,	George R. McKee,	Alex. H. Willingham,
John F. Gaar,	William McMillan,	James C. Wilmore,
Jacob S. Gelladay,	William C. McNary,	Francis H. Winfrey—81.

Those who voted in the negative, were

Christian Engleman,	James C. Sprigg,	Daniel B. Slivers—4.
Thomas R. Givens,		

*Resolved*, That the title of said bill be as aforesaid.

Mr. Bullitt, from the committee on the Sinking Fund, read and laid on the table the following preamble and resolution, viz :

Whereas, the 52d section of the charter of the Louisville and Frankfort railroad company provides that said company shall execute and deliver to the Governor a bond binding said company to pay into the treasury, for the use and benefit of the sinking fund, interest at the rate of six per centum per annum on the amount of valuation of the improvements made by the Lexington and Ohio railroad company, between



Frankfort and Louisville. And the said Louisville and Frankfort railroad company having executed bond, as above, for the sum of \$76,420 25; and, whereas, by the first section of an act amending said charter, approved 29th of February, 1848, it is provided that where such improvements be made upon lands to which said Lexington and Ohio railroad company had not acquired the right of way, and if the damages assessed shall exceed, or be equal to the value of the improvements, then said Louisville and Frankfort railroad company shall not be charged with such improvements, and if the damages agreed upon or assessed be less than the improvements, then the excess only shall be charged to the company and included in their bond; and, whereas, it appears to the satisfaction of this General Assembly, that certain improvements were made by said Lexington and Ohio railroad company, upon land to which said company had not acquired the right of way, and that the improvements were of greater value than the cost of the right of way as assessed, and that credits have not heretofore been given to said Louisville and Frankfort railroad company, for the cost of such right of way, by them acquired, and as the said bond of said company contains a clause reserving to said company such credits as the said amended charter would authorize. Therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the board of commissioners of the sinking fund be, and they are hereby authorized to enter such credits upon the bond of the Louisville and Frankfort Railroad company, herein described, as they may think said company legally and equitably entitled to in the foregoing premises.

The rule of the House requiring a joint resolution to lie one day on the table, having been dispensed with, said preamble and resolution was taken up, twice read, and adopted.

Mr. Mitchell, from the committee on the Court of Appeals, reported a bill to change the times and places of holding the Court of Appeals, which was read the first time, and ordered to be read a second time.

*Ordered,* That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. Caldwell, from the committee on Circuit Courts, reported a bill repealing the chancery and criminal terms in Logan and Monroe counties, which was read the first time as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That so much of the act, entitled, an act to fix the time of holding circuit courts in this commonwealth, approved March 22, 1851, as provides for the holding of a chancery and criminal term in the counties of Logan and Monroe, be and the same is hereby repealed.

Mr. Golladay moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Briggs and Oglesby, were as follows, viz:



## Those who voted in the affirmative, were

Granville C. Alfred,	John J. Haley,	William McMillan,
James P. Bates,	Thomas R. Harman,	William C. McNary,
A. H. Bryan,	Alvin Herndon,	Elijah S. Mitchusson,
Joshua F. Bullitt,	Thomas Hagins,	Thomas J. Nash,
Curtis F. Burnam,	John B. Holladay,	Joseph A. Nevitt,
Isaac Burnett,	Alvin M. Hume,	Micajah Oglesby,
Charles G. C. Canby,	Benjamin F. Hume,	Elijah G. Sebree,
Robert M. Carlisle,	James H. Hundley,	Isaac N. Shepperd,
Willis S. Chaplin,	Garland Hurt,	Green Sterett,
A. D. Cosby,	William G. Jackson,	Laniel B. Stivers,
Hezekiah Cox,	John G. James,	Napoleon B. Stone,
Jonathan Davis,	Henry S. Johnson,	John J. Thomas,
Francis U. Dodds,	Alfred M. Jones,	Joshua H. Thomas,
James Edelin,	John B. Laffoon,	Lawrence S. Trimble,
Price Edrington,	John J. Landrum,	Francis Troutman,
David Elms,	Joseph H. Lewis,	Drury Tye,
Elisha S. Fitch,	Robert G. Lewis,	William C. Webster,
John F. Gaar,	Opie J. Lindsay,	John S. Williams,
Thomas R. Givens,	Henry D. McHenry,	Alex. H. Willingham,
Jacob S. Golladay,	George R. McKee,	Francis H. Winfrey—61.
David Griggs,		

## Those who voted in the negative, were

Mr. Speaker (Robertson,)	Christian Engleman,	William T. Samuels,
William C. Anderson,	Francis Ford,	James C. Sprigg,
William Bailey,	Charles Lee,	William O. Thomson,
Joseph H. Barlow,	Strother D. Mitchell,	Thornton Triplett,
Charles M. Briggs,	Andrew Monroe,	James C. Wilmore,
James L. Caldwell,	Birch Musselman,	Chas. G. Wintersmith—19.
Edwin S. Craig,		

Mr. Bates, from the committee on County Courts, to whom was referred a bill requiring county judges and justices of the peace to give bond and security, reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall be the duty of all the county judges and justices of the peace now in office at the September or October terms of the several county courts in the year 1852, to execute a bond, with good security, payable to the commonwealth, conditioned to pay over to the persons entitled thereto all sums of money that shall come to their hands, and to discharge the duties of their office.

§ 2. *Be it further enacted,* That all county judges and justices of the peace who may be hereafter elected, before they enter upon the discharge of the duties of their office, shall execute a bond, as required in the first section of this act, with a like condition; and any person aggrieved by any of the officers aforesaid, may sue upon said bond in the name of the commonwealth.

§ 3. *Be it further enacted,* That it shall be the duty of the county court clerk to take the bonds and approve the security mentioned in the first and second sections of this act; and he shall file the said bonds in his office for safe keeping.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Bates and Wintersmith, were as follows, viz :

Those who voted in the affirmative, were

William C. Anderson,	Thomas R. Harman,	Thomas J. Nash,
William Bailey,	Samuel Hatfield,	Micajah Oglesby,
Joseph H. Barlow,	Charles J. Helm,	John J. Park,
James P. Bates,	Alvin Herndon,	Joel W. Sallee,
John S. Boyd,	Thomas Hagins,	Elijah G. Sebree,
A. H. Bryan,	Alvin M. Hume,	Isaac N. Shepperd,
Isaac Burnett,	James H. Hundley,	Green Sterett,
Charles G. C. Canby,	Garland Hurt,	Napoleon B. Stone,
Hezekiah Cox,	John B. Laffoon,	Lawrence S. Trimble,
Jonathan Davis,	Charles Lee,	Thornton Triplett,
James Edelin,	Joseph H. Lewis,	Francis Troutman,
David Elms,	George R. McKee,	William C. Webster,
Thomas R. Givens,	William C. McNary,	Alex. H. Willingham,
William C. Grier,	Elijah S. Mitchusson,	Francis H. Winfrey—43.
John J. Haley,		

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Jacob S. Golladay,	Strother D. Mitchell,
Granville C. Alfred,	David Griggs,	Andrew Monroe,
Charles M. Briggs,	John B. Holladay,	Barnett C. Moran,
Joshua F. Bullitt,	Benjamin F. Hume,	Robert O. Morgan,
Curtis F. Burnam,	William G. Jackson,	William F. Moore,
James L. Caldwell,	John G. James,	Joseph A. Nevitt,
Robert M. Carlisle,	Henry S. Johnson,	William T. Samuels,
Willis S. Chaplin,	Alfred M. Jones,	James C. Sprigg,
A. D. Cosby,	John A. Keith,	Daniel B. Stivers,
Edwin S. Craig,	Benjamin H. Kerrick,	John J. Thomas,
Francis U. Dodds,	John J. Landrum,	Joshua H. Thomas,
Price Edrington,	Robert G. Lewis,	William O. Thomson,
Christian Engleman,	Opie J. Lindsay,	Drury Tye,
Elisha S. Fitch,	Henry D. McHenry,	James C. Wilmore,
Francis Ford,	William McMillan,	Chas. G. Wintersmith—46.
John F. Gaar,		

Mr. Bates, from the same committee, to whom was referred a bill from the Senate, entitled, an act in relation to the records of the Jefferson County Court, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as afore-said.

Mr. Bates, from the same committee, to whom was referred a bill authorizing James Haggard to solemnize marriages, reported the same without amendment.

Said bill reads as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,*  
That James Haggard be, and he is hereby authorized to solemnize marriages in the county of Cumberland.

And the question being taken on engrossing said bill and reading it a third time, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Willingham and Winfrey, were as follows, viz:

Those who voted in the affirmative, were

Granville C. Alfred,	Samuel Hatfield,	John J. Park,
William C. Anderson,	Charles J. Helm,	Joel W. Sallee,
William Bailey,	Alvin Herndon,	William T. Samuels,
John S. Boyd,	Thomas Hagins,	Isaac N. Shepperd,
Charles M. Briggs,	Benjamin F. Hume,	James C. Sprigg,
James L. Caldwell,	John G. James,	Daniel B. Stivers,
Willis S. Chaplin,	Alfred M. Jones,	Napoleon B. Stone,
Edwin S. Craig,	John A. Keith,	Joshua H. Thomas,
Jonathan Davis,	John B. Laffoon,	William O. Thomson,
James Edelin,	John J. Landrum,	Francis Troutman,
David Elms,	Strother D. Mitchell,	Drury Tye,
Christian Engleman,	Andrew Monroe,	William C. Webster,
David Griggs,	Barnett C. Moran,	John S. Williams,
John J. Haley,	William F. Moore,	Francis H. Winfrey—44.
Thomas R. Harman,	Birch Musselman,	

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	John F. Gaar,	William C. McNary,
Joseph H. Barlow,	Thomas R. Givens,	Elijah S. Mitchusson,
James P. Bates,	Jacob S. Golladay,	Robert O. Morgan,
A. H. Bryan,	Alvin M. Hume,	Thomas J. Nash,
Joshua F. Bullitt,	Garland Hurt,	Joseph A. Nevitt,
Curtis F. Burnam,	William G. Jackson,	Micajah Oglesby,
Isaac Burnett,	Henry S. Johnson,	Elijah G. Sebree,
Charles G. C. Canby,	Benjamin H. Kerrick,	Green Sterett,
Robert M. Carlisle,	Charles Lee,	John J. Thomas,
Hezekiah Cox,	Joseph H. Lewis,	Lawrence S. Trimble,
Francis U. Dodds,	Robert G. Lewis,	Thornton Triplett,
Price Edrington,	Opie J. Lindsay,	Alex. H. Willingham,
Elisha S. Fitch,	Henry D. McHenry,	James C. Wilmore,
Francis Ford,	William McMillan,	Chas. G. Wintersmith—42.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved,* That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill incorporating the Newport and Covington Bridge Company.



By the committee on Internal Improvement—2. A bill to exempt certain persons from paying toll at the gates on the Lexington and Covington turnpike road in Grant county.

By the committee on Education—3. A bill for the benefit of school district No. 13, in Kenton county.

By same—4. A bill altering school districts Nos. 55 and 29, in Morgan county.

By the committee on Circuit Courts—5. A bill regulating the times of holding the circuit courts in the 10th judicial district.

By the committee on County Courts—6. A bill to establish a uniform practice in the county courts of the several counties in this state.

Which were severally read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 3d, 4th, and 5th, were ordered to be engrossed and read a third time; and the 6th was referred to the committee on the Code of Practice.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, and 5th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A resolution from the Senate fixing a day for the election of public officers, was taken up, twice read, and concurred in.

A bill from the Senate, entitled, an act allowing a special term of the Fleming County Court, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.



TUESDAY, DECEMBER 9, 1851.

1. Mr. Triplett presented the petition of sundry citizens of Oldham county, praying an appropriation in aid of the colonization society.

2. Mr. J. H. Thomas presented the petition of sundry citizens in Breckinridge county, praying the passage of a law in relation to the traffic in ardent spirits.

3. Mr. Grier presented the petition of the bar of the Greenup Circuit Court, praying that additional juridical days may be added to their terms.

4. Mr. Helm presented the petition of sundry citizens of the city of Newport, praying that power may be granted to the mayor and council to grant additional ferries across the Ohio river.

5. Mr. Golladay presented the petition of the trustees of the town of Russellville, praying permission to tax ten pin alleys.

6. Mr. Thomson presented the petition of sundry citizens of Bracken county, praying the passage of a law in relation to the traffic in ardent spirits.

7. Mr. Monroe presented the petition of George W. Lewis, praying additional compensation for the distribution of the public books.

8. Mr. Thomson presented the petition of sundry citizens of Bracken county, praying an appropriation in aid of the colonization society.

Which were received, the reading dispensed with, and referred—the 1st and 8th to the committee on Federal Relations; the 2d, 5th, and 6th, to the committee on Religion; the 3d to the committee on Ways and Means; the 4th to the committee on the Judiciary; and the 7th to the committee on Claims.

On motion of Mr. Mitchusson,

*Ordered*, That the petition of the citizens of Princeton and the remonstrance of sundry citizens of said town be referred to Messrs. Mitchusson, Anderson, Willingham, and Dodds.

A message was received from the Senate, announcing their disagreement to bills from this House, of the following titles, viz:

An act to amend an act, entitled, an act to prevent the wanton destruction of fish.

An act in relation to the officers of elections in Whitley county.

That they had passed bills of the following titles, viz:

An act for the benefit of Joseph Curd, of Jessamine county.

An act declaring Griffey's creek navigable.

An act for the benefit of Kean O'Hara.

An act to change the place of voting in the Worthville district, in Carroll county.

An act to change the time of holding the Clinton Circuit Court, and allowing an additional week to the Cumberland Circuit Court.

That they had passed a bill, entitled,

An act amendatory of an act, entitled, an act authorizing circuit courts to change venue in penal and criminal prosecutions.

Mr. Anderson, from the committee on Claims, to whom was referred the petition of John W. Reynolds and the petition of James C. Matherly, reported the same with the following resolution, viz :

*Resolved*, That said petitions be rejected.

Which was concurred in.

Mr. Anderson moved a reconsideration of the vote laying on the table the bill to incorporate the Louisville and Jeffersontown Plank Road Company.

And the question being taken thereon, it was decided in the affirmative.

*Ordered*, That said bill be referred to the committee on the Judiciary.

Mr. Burnam, from the select committee to whom was referred a bill from the Senate, entitled, an act allowing appeals from orders of county courts fixing ferry rates, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Jones, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled,

An act for the benefit of Mahlon Pruden, and others.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Jones inform the Senate thereof.

Mr. Burnam, from the committee on the Judiciary, to whom was referred a bill to establish the county of Barbour, reported the same without amendment.

*Ordered*, That said bill be re-committed to the committee on Propositions and Grievances.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Propositions and Grievances—1. A bill to change the line between the Tolesburg precinct and James McCormick's precinct, in Lewis county.

By the committee on Claims—2. A bill for the benefit of Elizabeth Jones, administratrix of George Jones, deceased.

By same—3. A bill for the benefit of the heirs of Benjamin F. Thomas, deceased.

By the committee on the Judiciary—4. A bill for the benefit of the town of Dycusburg, in Crittenden county.

By same—5. A bill to amend an act, entitled, an act to incorporate the town of Campbellsville.

By same—6. A bill for the benefit of George Emmick.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st 2d, 4th, 5th, and 6th, were ordered to be engrossed and read a third time ; and the 3d was referred to a committee of the whole, and made the special order of the day for Friday next.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 4th, 5th, and 6th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Burnam, from the committee on the Judiciary, to whom was referred a bill for the benefit of Ann Ferguson, and others, reported the same without amendment.

And after some discussion had thereon, the House proceeded to the orders of the day.

The House then proceeded to the election of public officers.

Mr. Wintersmith nominated Mr. A. G. Hodges as a suitable person to fill the office of Public Printer, and Mr. Bates nominated Mr. Samuel Pike ; and the vote being taken, it stood thus :

Those who voted for Mr. Hodges, were

Mr. Speaker, (Robertson,)	John B. Holladay,	Barnett C. Moran,
Granville C. Alfred,	Benjamin F. Hume,	Robert O. Morgan,
William C. Anderson,	James H. Hundley,	William F. Moore,
Charles M. Briggs,	William G. Jackson,	Birch Musselman,
Joshua F. Bullitt,	John G. James,	William T. Samuels,
Curtis F. Burnam,	Henry S. Johnson,	Elijah G. Sebree,
James L. Caldwell,	Alfred M. Jones,	Isaac N. Shepperd,



Willis S. Chaplin,  
A. D. Cosby,  
Edwin S. Craig,  
Price Edrington,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,  
John J. Haley,  
Thomas R. Harman,

John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Thomas F. Marshall,  
Henry D. McHenry,  
George R. McKee,  
William C. McNary,  
Strother D. Mitchell,  
Andrew Monroe,

Green Sterett,  
Daniel B. Stivers,  
Napoleon B. Stone,  
Joshua H. Thomas,  
William O. Thomson,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—55.

#### Those who voted for Mr. Pike, were

William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,

David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,

William McMillan,  
Elijah S. Mitchusson,  
Samuel M. Moore,  
Thomas J. Nash,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—40.

Messrs. Monroe, Burnett, and James, were appointed a committee on the part of this House, to act in conjunction with a similar committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Monroe, from said committee, reported that the joint vote stood thus:

For Mr. A. G. Hodges,	- - - - -	76
For Mr. Samuel Pike,	- - - - -	53
For Mr. William Tanner,	- - - - -	2

Mr. A. G. Hodges having received a majority of all the votes given, was declared duly elected Public Printer for the period fixed by law.

Mr. Chaplin nominated Mr. Benjamin Selby as a suitable person to fill the office of Librarian; Mr. Givens nominated Mr. A. Tarrant; and Mr. Wintersmith nominated Mr. William B. Holeman; and the vote being taken, it stood thus:

#### Those who voted for Mr. Selby, were

Granville C. Alfred,  
William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,

David Griggs,  
Grant Green,  
Norvin Green,  
John J. Haley,

Barnett C. Moran,  
Robert O. Morgan,  
Samuel M. Moore,  
William F. Moore,



James P. Bates,	Thomas R. Harman,	Thomas J. Nash,
John S. Boyd,	Samuel Hatfield,	Micajah Oglesby,
Charles M. Briggs,	Charles J. Helm,	John J. Park,
A. H. Bryan,	Alvin Herndon,	Joel W. Sallee,
Joshua F. Bullitt,	Thomas Hagins,	William T. Samuels,
Curtis F. Burnam,	John B. Holladay,	Elijah G. Sebree,
Isaac Burnett,	Alvin M. Hume,	Isaac N. Shepperd,
James L. Caldwell,	Benjamin F. Hume,	Green Sterett,
Charles G. C. Canby,	James H. Hundley,	Daniel B. Stivers,
Robert M. Carlisle,	Garland Hurt,	Napoleon B. Stone,
Willis S. Chaplin,	William G. Jackson,	John J. Thomas,
A. D. Cosby,	John G. James,	Joshua H. Thomas,
Hezekiah Cox,	Henry S. Johnson,	William O. Thomson,
Edwin S. Craig,	Alfred M. Jones,	Lawrence S. Trimble,
Jonathan Davis,	John A. Keith,	Thornton Triplett,
Francis U. Dodds,	Benjamin H. Kerrick,	Francis Troutman,
James Edelin,	Charles Lee,	Drury Tye,
Christian Engleman,	Robert G. Lewis,	Claiborne J. Walton,
Elisha S. Fitch,	Opie J. Lindsay,	William C. Webster,
Francis Ford,	George R. McKee,	Alex. H. Willingham,
John F. Gaar,	William McMillan,	Francis H. Winfrey,
Jacob S. Golladay,	William C. McNary,	Chas. G. Wintersmith—80.
William C. Grier,	Strother D. Mitchell,	

Those who voted for Mr. Tarrant, were

William C. Anderson,	John B. Laffoon,	Henry D. McHenry,
John Calvert,	John J. Landrum,	Elijah S. Mitchusson,
David Elms,	Joseph H. Lewis,	Birch Musselman,
Thomas R. Givens,	Thomas F. Marshall,	John S. Williams—12.

Those who voted for Mr. Holeman, were

Price Edrington,	Andrew Monroe,	James C. Wilmore—3.
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The same committee were appointed to compare the joint vote, and report the result.

After a short time, Mr. Monroe, from said committee, reported that the joint vote stood thus :

For Mr. Selby, - - - - -	107
For Mr. Tarrant, - - - - -	16
For Mr. Holeman, - - - - -	8

Mr. Benjamin Selby having received a majority of all the votes given, was declared duly elected Librarian for the ensuing two years.

Mr. N. Green nominated Mr. Sam'l M. Letcher as a suitable person to fill the office of Manager of the Lunatic Asylum, in place of Mr. John Lutz, removed from the state.

And after interchanging nominations, this House proceeded to take a vote, when Mr. Letcher received the unanimous vote of this House.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, Mr. Monroe, from said committee, reported that Mr. Letcher had received the unanimous vote of both Houses.

Whereupon, Mr. Letcher was declared duly elected Manager of the Lunatic Asylum for four years, in the place of Mr. Lutz.

Mr. N. Green nominated Mr. James O. Harrison as a suitable person to fill the office of Manager of the Lunatic Asylum, in place of Mr. Thos. S. Redd, whose term of service had expired.

And after interchanging nominations, the House proceeded to take a vote, when Mr. Harrison received the unanimous vote of this House.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, Mr. Monroe, from said committee, reported that Mr. Harrison had received the unanimous vote of both Houses.

Whereupon, Mr. Harrison was declared duly elected Manager of the Lunatic Asylum for five years.

Leave was given to bring in the following bills, viz :

On motion of Mr. Craig—1. A bill for the benefit of the Kentucky School of Medicine.

On motion of Mr. Shepperd—2. A bill authorizing the Wayne County Court to sell the old jail and stray pound lots in Monticello.

On motion of Mr. S. M. Moore—3. A bill to amend the charter of the city of Covington.

*Ordered*, That the committee on the Judiciary prepare and bring in the 1st and 3d; and Messrs. Shepperd, Anderson, and Wilmore, the 2d.

And then the House adjourned.

#### WEDNESDAY, DECEMBER 10, 1851.

1. Mr. Burnam presented the petition of sundry citizens of Madison county, praying the passage of a special law for the erection of a county jail.

2. Mr. James presented the petition of sundry citizens of Fayette county, praying the passage of a law in relation to the traffic in spirituous liquors.

3. Mr. Cosby presented the petition of sundry citizens of Daviess county, praying the passage of a law in relation to the traffic in spirituous liquors.

4. Mr. Hurt presented the petition of sundry citizens of Johnson county, praying the passage of a law in relation to the traffic in spirituous liquors.

5. Mr. Sterett presented the petition of sundry citizens of Hancock county, praying the formation of an additional election precinct in said county.

6. Mr. Johnson presented the petition of George F. Hickman, praying that the small estate of a free negro may not be escheated, but that the amount may be appropriated to the payment of his debts.

7. Mr. Ford presented the petition of sundry citizens of Crittenden county, praying a change in the boundary of district No. 1, in said county.

8. Mr. Trimble presented the petition of sundry citizens of McCracken county, praying permission to loan the Seminary funds of said county at ten per cent. interest.

9. Mr. J. H. Thomas presented the remonstrance of sundry citizens of Breckinridge county, against the formation of a new county out of parts of said county and the counties of Hardin and Meade.

10. Mr. Griggs presented the remonstrance of sundry citizens of Meade county, against the formation of said new county.

Which were received, the reading dispensed with, and referred—the 1st and 6th to the committee on the Judiciary; the 2d, 3d, and 4th, to the committee on Religion; the 5th to the committee on Privileges and Elections; the 7th, 9th, and 10th, to the committee on Propositions and Grievances; and the 8th to the committee on Education.

Mr. Canby moved the following resolution, viz :

*Resolved*, That the keeper of the public buildings be directed to shut off the gas from the rooms in the capitol, and keep it off until otherwise directed.

Which was adopted.

A bill from the Senate, entitled, an act to provide for the construction of a levee from the town of Hickman to the Tennessee line, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.



A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act for the benefit of assessors of tax of Madison, Logan, and Bath counties.

That they had passed bills and a resolution from this House, of the following titles, viz :

An act to authorize the Clerk of the Logan County Court to transcribe and have re-bound certain record books.

An act to authorize the Clerk of the Henderson County Court to transcribe and index certain records in his office.

An act to incorporate the Winchester and Kiddville Turnpike Road Company.

An act for the benefit of the Sheriff of Pendleton county.

An act for the benefit of John Bell, jr.

With an amendment to the last named bill.

A resolution for the benefit of the Frankfort and Louisville Railroad Company.

That they had passed bills of the following titles, viz :

An act to amend an act to incorporate the Lexington and Danville Railroad Company.

An act to establish a sinking fund for the county of Bourbon, and to provide for the appointment of commissioners therefor.

Mr. McNary, from the committee on Internal Improvement, to whom was referred the preamble and resolution moved by Mr. Barlow on the 3d instant, asked to be discharged from the further consideration of the same, which was granted.

The House again resumed the consideration of the bill for the benefit of Ann Ferguson, and others.

The said bill reads as follows, viz :

Whereas, it is represented to this General Assembly that Jas. Burnes, who was a native of Ireland, and became a naturalized citizen of the United States, and was resident in the city of Frankfort, in the State of Kentucky, departed this life in the year 1849, owning real estate situated in different parts of this state, and leaving no relatives in the United States capable in law of inheriting his said real estate; and, whereas, Ann Ferguson, Peter Ferguson, Philip Ferguson, Michael Ferguson, Catharine McMullin, and Mary Kelly, have presented to this general assembly their petitions, setting forth that they, with John Ferguson, are the mother and brothers and sisters of the half blood of the said James Burnes, deceased, but are aliens and residents of the province of New Brunswick, under the rule of the British Crown, and in indigent circumstances, and praying that they be allowed to inherit said real estate, instead of escheating it to this commonwealth. Therefore,

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That said petitioners be allowed to file their petition in equity in the circuit court for the county of Franklin, making said John Ferguson, and any persons in possession or setting up claim to any part of said estate



defendants thereto; and alleging the facts stated in the preamble to this act; the said court, upon satisfactory proof being made of their said relationship, shall have power and jurisdiction to render a judgment of an investiture in them and said John Ferguson, of all the title and claim which the commonwealth of Kentucky may now have, or be legally entitled to have, by virtue of any escheat or forfeiture—to be held by them in parcenary, as they would have received the same by the law of descents: *Provided*, That the said court shall order the said real estate to be sold, and the proceeds arising therefrom to be divided between the said mother of the said James Burnes, deceased, giving her one fourth—and the said half brothers and sisters, giving each one sixth of the remainder, after paying the expense of the proceedings; but the said court shall have no power to give judgment for the title in any alienee of the said persons upon any conveyance made before the rendition of the decree in said proceedings; and no judgment shall be rendered herein until the said petitioners shall have executed bond, with approved security to the commonwealth, to refund any such sums as may be required to pay debts of the estate of said Burnes to the extent of the amounts received by them.

Mr. McKee moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Burnam and McKee, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John F. Gaar,	George R. McKee,
William C. Anderson,	Jacob S. Golladay,	Andrew Monroe,
Joseph H. Barlow,	John J. Haley,	Elijah G. Sebree,
John S. Boyd,	Samuel Hatfield,	Isaac N. Shepperd,
James L. Caldwell,	Charles J. Helm,	Daniel B. Stivers,
A. D. Cosby,	Alvin Herndon,	John J. Thomas,
Jonathan Davis,	Benjamin F. Hume,	Thornton Triplett,
Francis U. Dodds,	John G. James,	James C. Wilmore,
Price Edrington,	Opie J. Lindsay,	Francis H. Winfrey—28.
Christian Engleman,		

Those who voted in the negative, were

Granville C. Alfred,	Thomas R. Harman,	Barnett C. Moran,
William Bailey,	Thomas Hagins,	Robert O. Morgan,
Cleaton Bane,	Alvin M. Hume,	Samuel M. Moore,
James P. Bates,	James H. Hundley,	Birch Musselman,
Charles M. Briggs,	Garland Hurt,	Thomas J. Nash,
A. H. Bryan,	William G. Jackson,	Micajah Oglesby,
Curtis F. Burnam,	Henry S. Johnson,	John J. Park,
Isaac Burnett,	Alfred M. Jones,	Joel W. Sallee,
Charles G. C. Canby,	John A. Keith,	William T. Samuels,
Robert M. Carlisle,	Benjamin H. Kerrick,	Green Sterett,
Hezekiah Cox,	John B. Laffoon,	Joshua H. Thomas,
Edwin S. Craig,	John J. Landrum,	William O. Thomson,
James Edelin,	Charles Lee,	Lawrence S. Trimble,
David Elms,	Joseph H. Lewis,	Francis Troutman,
Elisha S. Fitch,	Robert G. Lewis,	Drury Tye,

Francis Ford,	Henry D. McHenry,	William C. Webster,
Thomas R. Givens,	William McMillan,	John S. Williams,
William C. Grier,	William C. McNary,	Alex. H. Willingham,
David Griggs,	Strother D. Mitchell,	Chas. G. Wintersmith—59.
Grant Green,	Elijah S. Mitchusson,	

*Ordered*, That said bill have its third reading on to-morrow, at 11 o'clock, A. M.

Mr. Anderson, from the committee on the Judiciary, to whom was referred a bill to increase the jurisdiction of Justices of the Peace, reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter justices of the peace in the several counties of this commonwealth shall have concurrent jurisdiction with the presiding judges of the county courts, and with the circuit courts, in all matters of contract, whether express or implied, for the payment of money or property, where the amount in controversy shall not exceed the sum of one hundred dollars in value.

§ 2. That either party may have a right of appeal in such cases to the circuit court of the county in which the judgment shall have been given, under the rules and regulations which now are, or hereafter may be prescribed by law for appeals from judgments of justices of the peace.

And the question being taken on engrossing and reading said bill a third time, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Bates and Nash, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	Thomas R. Givens,	Strother D. Mitchell,
William Bailey,	Jacob S. Golladay,	Elijah S. Mitchusson,
Cleaton Bane,	William C. Grier,	Barnett C. Moran,
Joseph H. Barlow,	David Griggs,	Robert O. Morgan,
James P. Bates,	Grant Green,	William F. Moore,
John S. Boyd,	John J. Haley,	Thomas J. Nash,
A. H. Bryan,	Thomas R. Harman,	Micajah Oglesby,
Curtis F. Burnam,	Samuel Hatfield,	John J. Park,
Isaac Burnett,	Charles J. Helm,	William T. Samuels,
James L. Caldwell,	Alvin Herndon,	Elijah G. Seebree,
John Calvert,	Thomas Hagins,	Isaac N. Shepperd,
Charles G. C. Canby,	John B. Holladay,	Green Sterett,
A. D. Cosby,	Alvin M. Hume,	Daniel B. Stivers,
Hezekiah Cox,	Benjamin F. Hume,	John J. Thomas,
Jonathan Davis,	James H. Hundley,	Joshua H. Thomas,
Francis U. Dodds,	Garland Hurt,	Lawrence S. Trimble,
James Edelin,	William G. Jackson,	Thornton Triplett,
Price Edrington,	John G. James,	Drury Tye,
David Elms,	Alfred M. Jones,	William C. Webster,
Christian Engleman,	John B. Laffoon,	Alex. H. Willingham,
Elisha S. Fitch,	John J. Landrum,	James C. Wilmore,
Francis Ford,	Charles Lee,	Chas. G. Wintersmith—68.
John F. Gaar,	Henry D. McHenry,	

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	John A. Keith,	Birch Musselman,
William C. Anderson,	Joseph H. Lewis,	Napoleon B. Stone,
Charles M. Briggs,	Opie J. Lindsay,	Francis Troutman,
Robert M. Carlisle,	William McMillan,	John S. Williams,
Edwin S. Craig,	William C. McNary,	Francis H. Winfrey—17.
Henry S. Johnson,	Andrew Monroe,	

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Caldwell, from the committee on Circuit Courts, to whom was referred the petition of the bar and officers of the court in Jessamine county, asked to be discharged from the further consideration of the same, which was granted.

A bill to incorporate the Newport and Maysville Railroad Company, was read the second time, and ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By Mr. Carlisle—1. A bill authorizing the Presiding Judge of Kenton county to hold quarterly terms in Covington.

By the committee on Internal Improvement—2. A bill to incorporate the Kentucky River Navigation Company.

By Mr. Williams—3. A bill to authorize the Clarke County Court to subscribe stock in works of Internal Improvement in said county.

By Mr. J. J. Thomas—4. A bill to change the state road leading from Hopkinsville to Clarksville, in Tennessee.

By Mr. Winfrey—5. A bill for the benefit of Samuel Spencer.

By Mr. Burnam—6. A bill extending the mechanics' lien law to certain counties.

By Mr. Kerrick—7. A bill to change the place of voting in an election precinct in Jefferson county.

By Mr. Troutman—8. A bill to amend the usury laws.

By Mr. McNary—9. A bill to change the place of voting in Muhlenburg county.

By Mr. Trimble—10. A bill to authorize the town of Paducah to subscribe stock in certain railroads.



By Mr. Alfred—11. A bill for the benefit of certain school districts in Washington county.

By Mr. Shepperd—12. A bill authorizing the County Court of Wayne to sell the old jail and stray pen lots in Monticello.

By Mr. Helm—13. A bill to extend the corporate limits of the city of Newport.

By Mr. Holladay—14. A bill to charter the town of Mount Olivet, in Nicholas and Bracken counties.

By Mr. Triplett—15. A bill authorizing the County Judge of Oldham to alter Lagrange district.

By same—16. A bill changing a part of the line between Shelby and Oldham counties.

By Mr. Trimble—17. A bill to authorize the County Court of McCracken to subscribe stock in certain railroads.

By the committee on Ways and Means—18. A bill for the benefit of Robert Butler, of Simpson county.

By Mr. B. F. Hume—19. A bill to repeal an act, entitled, an act to amend the road law in Pendleton county, approved February 25, 1851.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th, 12th, 13th, 14th, 15th, 18th, and 19th bills were severally ordered to be engrossed and read a third time; the 8th was referred to the committee on Revised Statutes; the 10th and 17th to the committee on the Judiciary; the 11th to the committee on Education; and the 16th to the committee on Propositions and Grievances.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th, 12th, 13th, 14th, 15th, 18th, and 19th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Winfrey read and laid on the table the following preamble and resolution, to-wit:

Whereas, the legislature yet has before it the whole of the revised statutes, and much other business of great importance to the welfare and prosperity of the country; and, whereas, it is expected by the people that all necessary legislation shall be done before we finally adjourn, and it is now evident that it cannot be done within the sixty days fixed by the constitution. Therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That we will adjourn on the 20th inst., to meet again on the 10th day of January, 1852, for the purpose of completing such legislation as is demanded by the wants of the state; but no member shall receive pay for his services for the recess specified in this resolution.

Mr. Barlow moved the following resolution, viz :

*Resolved*, That this House dispense with the further consideration of business of a local character, until the revised statutes, code of practice, apportionment bill, and election of a United States senator are disposed of: *Provided*, that local business may be attended to in evening sessions.

And the question being taken on adopting the same, it was decided in the negative, and so the said resolution was rejected.

On motion of Mr. J. H. Lewis, leave was given to bring in a bill to incorporate the Nashville and Cincinnati Railroad Company.

*Ordered*, That Messrs. J. H. Lewis, Bates, Barlow, and Webster, prepare and bring in the same.

Mr. Bates moved to take up from the table the resolution from the Senate postponing the election of a United States Senator.

The Speaker decided the motion out of order—it requiring a majority of two-thirds to dispense with the rules in order to take up said resolution.

From which decision of the Chair Mr. Bates took an appeal, and on the appeal moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The main question was then put—"shall the decision of the Chair stand as the judgment of the House?" and it was decided in the negative.

The yeas and nays being taken thereon, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	John B. Holladay,	William C. McNary,
William C. Anderson,	Benjamin F. Hume,	Strother D. Mitchell,
Charles M. Briggs,	James H. Hundley,	Barnett C. Moran,
Joshua F. Bullitt,	William G. Jackson,	William F. Moore,
Curtis F. Burnam,	John G. James,	Elijah G. Seabee,
James L. Caldwell,	Henry S. Johnson,	Isaac N. Shepperd,
A. D. Cosby,	Alfred M. Jones,	Green Sterett,
Edwin S. Craig,	John A. Keith,	Daniel B. Stivers,
Christian Engleman,	Benjamin H. Kerrick,	Napoleon B. Stone,
Elisha S. Fitch,	John J. Landrum,	Joshua H. Thomas,
Francis Ford,	Joseph H. Lewis,	William O. Thomson,
Thomas R. Givens,	Robert G. Lewis,	Francis Troutman,
Jacob S. Golladay,	Opie J. Lindsay,	Drury Tye,
David Griggs,	Thomas F. Marshall,	John S. Williams,
John J. Haley,	George R. McKee,	Francis H. Winfrey—46.
Thomas R. Harman,		

Those who voted in the negative, were

William Bailey,	David Elms,	Robert O. Morgan,
Cleaton Bane,	John F. Gaar,	Samuel M. Moore,
Joseph H. Barlow,	William C. Grier,	Birch Musselman,

James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
Ellis Duncan,  
James Edelin,  
Price Edrington,

Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
William McMillan,  
Elijah S. Mitchusson,  
Andrew Monroe,

Thomas J. Nash,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
William T. Samuels,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
James C. Wilmore,  
Chas. G. Wintersmith—48.

Mr. Anderson then moved to lay the motion of Mr. Bates on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. N. Green and Webster, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)  
Granville C. Alfred,  
William C. Anderson,  
Charles M. Briggs,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
James L. Caldwell,  
A. D. Cosby,  
Edwin S. Craig,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,

John J. Haley,  
Thomas R. Harman,  
John B. Holladay,  
Benjamin F. Hume,  
James H. Hundley,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
George R. McKee,

William C. McNary,  
Strother D. Mitchell,  
Barnett C. Moran,  
William F. Moore,  
Elijah G. Seabee,  
Isaac N. Shepperd,  
Green Sterett,  
Daniel B. Stivers,  
Napoleon B. Stone,  
Joshua H. Thomas,  
William O. Thomson,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
Francis H. Winfrey—45.

Those who voted in the negative, were

William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
Ellis Duncan,  
James Edelin,  
Price Edrington,  
David Elms,

John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
Opie J. Lindsay,  
Thomas F. Marshall,  
Henry D. McHenry,  
William McMillan,  
Elijah S. Mitchusson,

Andrew Monroe,  
Robert O. Morgan,  
Samuel M. Moore,  
Birch Musselman,  
Thomas J. Nash,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
William T. Samuels,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
James C. Wilmore,  
Chas. G. Wintersmith—51.



At ten minutes after 1 o'clock, P. M., Mr. Anderson moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Anderson and Burnett, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker (Robertson,)	Thomas R. Harman,	Strother D. Mitchell,
Granville C. Alfred,	John B. Holladay,	Andrew Monroe,
William C. Anderson,	Benjamin F. Hume,	Barnett C. Moran,
Charles M. Briggs,	James H. Hundley,	William F. Moore,
Joshua F. Bullitt,	William G. Jackson,	Birch Musselman,
Curtis F. Burnam,	John G. James,	William T. Samuels,
James L. Caldwell,	Henry S. Johnson,	Elijah G. Sebre,
A. D. Cosby,	Alfred M. Jones,	Isaac N. Shepperd,
Edwin S. Craig,	John A. Keith,	Green Sterett,
Ellis Duncan,	Benjamin H. Kerrick,	Daniel B. Stivers,
Christian Engleman,	John J. Landrum,	Napoleon B. Stone,
Elisha S. Fitch,	Joseph H. Lewis,	Joshua H. Thomas,
Francis Ford,	Robert G. Lewis,	William O. Thomson,
Thomas R. Givens,	Opie J. Lindsay,	Francis Troutman,
Jacob S. Golladay,	Henry D. McHenry,	Drury Tye,
David Griggs,	George R. McKee,	John S. Williams,
John J. Haley,	William C. McNary,	Francis H. Winfrey—51.

Those who voted in the negative, were

William Bailey,	John F. Gaar,	Robert O. Morgan,
Cleaton Bane,	William C. Grier,	Samuel M. Moore,
Joseph H. Barlow,	Grant Green,	Thomas J. Nash,
James P. Bates,	Norvin Green,	Micajah Oglesby,
A. H. Bryan,	Samuel Hatfield,	John J. Park,
Isaac Burnett,	Charles J. Helm,	Joel W. Sallee,
John Calvert,	Alvin Herndon,	John J. Thomas,
Charles G. C. Canby,	Thomas Hagins,	Lawrence S. Trimble,
Robert M. Carlisle,	Alvin M. Hume,	Thornton Triplett,
Hezekiah Cox,	Garland Hurt,	Claiborne J. Walton,
Jonathan Davis,	John B. Laffoon,	William C. Webster,
Francis U. Dodds,	Charles Lee,	Alex. H. Willingham,
James Edelin,	Thomas F. Marshall,	James C. Wilmore,
Price Edrington,	William McMillan,	Chas. G. Wintersmith—44.
David Elms,	Elijah S. Mitchusson,	

THURSDAY, DECEMBER 11, 1851.

1. Mr. Moran presented the petition of the trustees of the Kirksville school district, in Madison county, praying for their portion of the school fund for the year 1849 and 1850.

2. Mr. Helm presented the petition of James H. McClure, praying the confirmation of a deed made to him of a lot in the city of Newport.

3. Mr. Anderson presented the petition of the trustees of Danville, praying the passage of an act legalizing their subscription of stock to the Danville and Lexington Railroad.

4. Mr. Davis presented the petition of sundry citizens of Spencer county, praying an alteration in an election precinct in said county.

5. Mr. Wintersmith presented the petition of James R. Hughes, Clerk of the Union County Court, praying permission to record certain wills, inventories, &c.

6. Mr. J. H. Lewis presented the remonstrance of sundry citizens of Barren county, against the formation of a new county out of parts of Barren, Cumberland, Adair, and Green.

7. Mr. S. M. Moore presented the petition of sundry citizens of Nicholas, Fleming, Harrison, Bracken, and Pendleton counties, in relation to the Licking River Navigation Company.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education; the 2d, 3d, and 7th, to the committee on the Judiciary; the 4th and 6th to the committee on Propositions and Grievances; and the 5th to the committee on County Courts.

Mr. Herndon, from the committee on Religion, to whom was referred the petition of sundry citizens of Bracken county, and the petition of sundry citizens of Breckinridge county, praying the passage of a law in relation to the traffic in ardent spirits, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said petitions be referred to the committee on Propositions and Grievances.

A message was received from the Governor, by Mr. MERIWETHER, Secretary of State, which is as follows, viz:

EXECUTIVE DEPARTMENT,  
December 11, 1851. }

*Gentlemen of the Senate  
and House of Representatives:*

Dr. James B. Bowling, D. S. Howell, and John G. Handy, commis-

sioners appointed by an act of the General Assembly, approved 20th of March, 1851, to visit the Second Lunatic Asylum to inspect the same, and to state and settle the accounts of the present commissioners, &c., having failed to act in pursuance of the provisions of said act, I appointed Dr. Hugh Rodman, of Franklin county, Robert Mallory, of Oldham, and F. C. Sharp, of Christian county, to visit and inspect said Asylum, and to settle the accounts of the commissioners superintending the building of the same, &c. Said commissioners proceeded, without delay, to visit said Asylum, to inspect the same, and to settle the accounts of the present commissioners.

I herewith transmit to the General Assembly the report of the commissioners, and papers marked A and B which accompany said report, containing statement of accounts, &c., and respectfully invite the attention of the General Assembly to the report and accompanying documents.

L. W. POWELL.

[For documents accompanying the Message—see Legislative Documents.]

Ordered, That said report and accompanying documents be referred to the committee on Ways and Means.

Mr. Bullitt, from the committee on the Sinking Fund, to whom was referred a bill to amend the charter of the Louisville and Elizabethtown Turnpike Road Company, reported the same with an amendment, which was concurred in.

Mr. Bates moved an amendment to said bill.

On motion of Mr. Stone,

Ordered, That said bill and amendment be laid on the table.

Mr. Wintersmith, from the committee on Revised Statutes, to whom was referred a bill from the Senate allowing jurors pay for their services before Justices of the Peace, reported the same with an amendment.

The said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That jurors, summoned to appear before justices of the peace to try any cause where there is a jury required by law to be summoned, shall, after the passage of this act, be entitled to fifty cents for each day's attendance, to each juror who shall claim the same.

§ 2. *Be it further enacted*, That said jurors shall be paid by the unsuccessful party : *Provided*, that there shall be no charges against the commonwealth of Kentucky, when cases arise in favor of said commonwealth, and fail to succeed; but in all other cases before justices of the peace said compensation shall be allowed.

§ 3. The provisions of this act shall not apply to by-standers summoned at the place of trial, but only to such jurors as attend the place of trial in consequence of a summons from the proper officer. The claims of jurors shall be entered by the justice of the peace, and collected on his certificate as witnesses' claims are allowed and collected. Jurors attending before sheriffs on writs of *ad quod damnum* shall have the like privilege of claiming fifty cents per day, under the same rules and regulations to be allowed and certified by the sheriff.



§ 4. *Be it further enacted*, That jurors, who shall be summoned and attend upon the trial of causes before the presiding judges of the county courts, shall have pay, as provided in the foregoing part of this act: *Provided*, that no jury shall be summoned as specified in any of the foregoing provisions of said act, unless the litigant, or one of them, plaintiff and defendant, shall so order and direct, or request in writing, directed to the officer whose duty it is by this act to summon such jury: *Provided further*, that the jury provided for in the first section of this act shall consist of only six housekeepers of the county in which the cause is tried.

Mr. Wintersmith moved to amend said bill, by striking out all after the enacting clause, and insert in lieu thereof the following, which being amended, reads as follows, viz:

§ 1. That jurors, serving on any jury in cases before the presiding judge of a county court, police judges, and justices of the peace, when the amount claimed in the warrant exceeds five pounds, shall be entitled to fifty cents for each day's attendance. The jury shall consist of six persons, and the party applying for the jury shall deposit with the officer summoning the jury at the time of the application a sum sufficient to pay the jury. This shall not apply to cases in which the commonwealth is a party, except there is a relator.

§ 2. Jurors, in cases of writs of *ad quod damnum*, shall receive fifty cents for each day's attendance; and a sum sufficient therefor shall be deposited with the officer presiding by the party applying for the jury before the jury is sworn.

§ 3. The amount paid for the jury shall be taxed as costs, if paid by the successful party.

Mr. McKee moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Harman and Grier, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Thomas R. Givens,	George R. McKee,
Granville C. Alfred,	Jacob S. Golladay,	William McMillan,
William C. Anderson,	John J. Haley,	Strother D. Mitchell,
Joshua F. Bullitt,	Thomas Hagins,	Barnett C. Moran,
Curtis F. Burnam,	John B. Holladay,	Robert O. Morgan,
Isaac Burnett,	Alvin M. Hume,	Samuel M. Moore,
James L. Caldwell,	John G. James,	Thomas J. Nash,
John Calvert,	Henry S. Johnson,	Elijah G. Seebree,
Robert M. Carlisle,	Alfred M. Jones,	James C. Sprigg,
A. D. Cosby,	John A. Keith,	Napoleon B. Stone,
Edwin S. Craig,	Benjamin H. Kerrick,	John J. Thomas,
Jonathan Davis,	John B. Laffoon,	William O. Thomson,
Ellis Duncan,	Charles Lee,	Thornton Triplett,
Price Edrington,	Robert G. Lewis,	Francis Troutman,
Christian Engleman,	Opie J. Lindsay,	James C. Wilmore,
Elisha S. Fitch,	Thomas F. Marshall,	Francis H. Winfrey—49.
John F. Gaar,		

Those who voted in the negative, were

William Bailey,	Thomas R. Harman,	Micajah Oglesby,
Cleaton Bane,	Alvin Herndon,	Joel W. Sallee,
Joseph H. Barlow,	Benjamin F. Hume,	William T. Samuels,
James P. Bates,	James H. Hundley,	Isaac N. Shepperd,
John S. Boyd,	Garland Hurt,	Green Sterett,
Charles M. Briggs,	William G. Jackson,	Daniel B. Stivers,
A. H. Bryan,	John J. Landrum,	Joshua H. Thomas,
Hezekiah Cox,	Joseph H. Lewis,	Lawrence S. Trimble,
Francis U. Dodds,	Henry D. McHenry,	Drury Tye,
James Edelin,	William C. McNary,	Claiborne J. Walton,
David Elms,	Elijah S. Mitchusson,	William C. Webster,
Francis Ford,	Andrew Monroe,	John S. Williams,
William C. Grier,	William F. Moore,	Alex. H. Willingham,
David Griggs,	Birch Musselman,	Chas. G. Wintersmith—43.
Norvin Green,		

The House took up the engrossed bill, entitled, an act for the benefit of Ann Ferguson, and others.

*Ordered*, That said bill be referred to Messrs. Troutman, Mitchell, Bates, Burnett, and Bullitt.

Mr. Wintersmith, from the committee on Revised Statutes, to whom was referred a bill for changing the acts concerning the school ages of children, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; and so the said bill was rejected.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill to give additional power to the Madison County Court.

By same—2. A bill for the benefit of the Kentucky School of Medicine.

By the committee on Religion—3. A bill authorizing the trustees of Russellville to tax nine and ten pin alleys.

By the committee on Education—4. A bill to provide for a geological and mineralogical survey of the state.

By Mr. Griggs—5. A bill for the benefit of William Alexander.

By Mr. Lindsay—6. A bill for the benefit of H. Woodyard, late Sheriff of Grant county.

By Mr. Canby—7. A bill to charter the Hamilton and Union Turnpike Road Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was referred to the com-

mittee on the Judiciary; the 2d, 3d, 5th, and 6th, were severally ordered to be engrossed and read a third time; the 4th was referred to the committee of the whole, and made the special order of the day for the 17th instant; and the 7th was referred to the committee on Internal Improvement.

The rule of the House, constitutional provision, and third reading of the 2d, 3d, 5th, and 6th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Leave was given to bring in the following bills, viz:

On motion of Mr. Givens—1. A bill for the benefit of Jas. R. Hughes, former Clerk of the County Court of Union.

On motion of Mr. Edrington—2. A bill to authorize the county of Hickman to subscribe stock in the Mobile and Ohio Railroad.

On motion of same—3. A bill to authorize the town of Columbus to hold stock in the Ohio and Mobile Railroad Company.

On motion of Mr. Musselman—4. A bill to regulate tobacco inspections in the city of Louisville.

*Ordered*, That the committee on County Courts prepare and bring in the 1st; Messrs. Edrington, Trimble, and Burnett, the 2d and 3d; and the committee on the Judiciary the 4th.

At 12 o'clock, meridian, Mr. Alfred moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Webster and Mitchusson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John B. Holladay,	Andrew Monroe,
Granville C. Alfred,	Benjamin F. Hume,	Barnett C. Moran,
William C. Anderson,	James H. Hundley,	William F. Moore,
Charles M. Briggs,	William G. Jackson,	Birch Musselman,
Joshua F. Bullitt,	John G. James,	William T. Samuels,
Curtis F. Burnam,	Henry S. Johnson,	Elijah G. Sebre,
James L. Caldwell,	Alfred M. Jones,	Isaac N. Shepperd,
A. D. Cosby,	John A. Keith,	Green Sterett,
Edwin S. Craig,	Benjamin H. Kerrick,	Daniel B. Stivers,
Ellis Duncan,	John J. Landrum,	Napoleon B. Stone,
Christian Engleman,	Joseph H. Lewis,	Joshua H. Thomas,
Elisha S. Fitch,	Robert G. Lewis,	William O. Thomson,
Francis Ford,	Opie J. Lindsay,	Francis Troutman,
Thomas R. Givens,	Thomas F. Marshall,	Drury Tye,
Jacob S. Golladay,	Henry D. McHenry,	John S. Williams,



David Griggs,  
John J. Haley,  
Thomas R. Harman,

George R. McKee,  
William C. McNary,  
Strother D. Mitchell,

James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—54.

Those who voted in the negative, were

William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,  
Price Edrington,

David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
William McMillan,

Elijah S. Mitchusson,  
Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
James C. Sprigg,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—43.

FRIDAY, DECEMBER 12, 1851.

1. Mr. Sterett presented the petition of sundry citizens of Hancock county, praying the formation of an additional school district in said county.

2. Mr. James presented the petition of the mayor and council of the city of Lexington, praying an amendment of the charter of said city.

3. Mr. Duncan presented the petition of sundry citizens of Nelson county, praying an appropriation in aid of the colonization society.

4. Also, the petition of citizens of New Haven, in Nelson county, praying an act of incorporation.

5. Mr. McMillan presented the petition of sundry citizens of Scott county, praying the passage of a law in relation to the traffic in ardent spirits.

6. Mr. Sallee presented the petition of the Sheriff of Pulaski county, praying further time to collect and pay over the revenue.

7. Mr. J. H. Lewis presented the petition of sundry citizens of the state of Tennessee, praying an act of incorporation of the Nashville and Cincinnati Railroad Company.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education; the 2d, 4th, and 7th, to the committee on the Judiciary; the 3d to the committee on Ways and Means; and the 5th and 6th to the committee on Propositions and Grievances.

Mr. Winfrey, from the committee on Propositions and Grievances, to whom was referred the petition of the citizens of Bracken and Breckinridge counties, praying the passage of a law in relation to the sale of ardent spirits, asked to be discharged from the further consideration of the same, which was granted.

Mr. Winfrey, from the same committee, to whom was referred a bill to establish the county of Berbour, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; and so the said bill was rejected.

Mr. Burnam, from the committee on the Judiciary, to whom was referred a bill to give additional power to the Madison County Court, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Jones, from the committee on Enrollments, reported that the committee had examined an enrolled resolution from this House for the benefit of the Louisville and Frankfort Railroad Company, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Jones inform the Senate thereof.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled, an act to regulate the duties of executors and administrators.

That they had passed a bill from this House, entitled,

An act for the benefit of John Wallis.

That they had passed bills of the following titles, viz:

An act for the benefit of common school districts in this commonwealth.

An act for the benefit of B. G. Dudley.

An act to incorporate the Independent Fire Company Washington, No. 1, of Maysville and suburbs.

An act allowing an additional Magistrates' and Constable's district in Morgan county.

Mr. Boyd, from the committee on the Library, to whom was referred the resolution moved by Mr. Landrum on the 25th of November, asked to be discharged from the further consideration of the same, which was granted.

Mr. Boyd, from the same committee, to whom was referred leave to bring in a bill to purchase two hundred copies of Milne and Bruder's map of Kentucky, to be placed in each circuit and county court clerk's office, asked to be discharged from the further consideration of the same.

Mr. Wintersmith moved that said committee be instructed to bring in a bill for the purchase of one hundred and nine copies of said map—one for each county court clerk's office; one for the executive, register, auditor, treasurer, and library; two for the Senate, and two for the House of Representatives—payable out of the treasury.

And the question being taken on adopting said instructions, it was decided in the affirmative.

Mr. Mitchusson, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of the town of Princeton, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

*Ordered*, That said bill be engrossed and read a third time to-morrow, at 11 o'clock, A. M.

A bill from the Senate, entitled, an act to amend an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The said bill was then amended.

The question was then taken on reading said bill a third time, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Bates and Webster, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker (Robertson,)	David Griggs,	William C. McNary,
Granville C. Alfred,	Grant Green,	Strother D. Mitchell,
William C. Anderson,	John J. Haley,	Elijah S. Mitchusson,
William Bailey,	Thomas R. Harman,	Andrew Monroe,
John S. Boyd,	Samuel Hatfield,	Robert O. Morgan,



Charles M. Briggs,	Charles J. Helm,	William F. Moore,
A. H. Bryan,	Alvin Herndon,	Birch Musselman,
Joshua F. Bullitt,	Thomas Hagins,	John J. Park,
Curtis F. Burnam,	John B. Holladay,	Joel W. Sallee,
Isaac Burnett,	Alvin M. Hume,	William T. Samuels,
James L. Caldwell,	Benjamin F. Hume,	Elijah G. Seabee,
A. D. Cosby,	Garland Hurt,	Isaac N. Shepperd,
Edwin S. Craig,	William G. Jackson,	John J. Thomas,
Jonathan Davis,	John G. James,	Joshua H. Thomas,
Francis U. Dodds,	Henry S. Johnson,	William O. Thomson,
Ellis Duncan,	John A. Keith,	Lawrence S. Trimble,
James Edelin,	Benjamin H. Kerrick,	Thornton Triplett,
Price Edrington,	John J. Landrum,	Francis Troutman,
David Elms,	Charles Lee,	Alex. H. Willingham,
Christian Engleman,	Joseph H. Lewis,	James C. Wilmore,
John F. Gaar,	Robert G. Lewis,	Francis H. Winfrey,
Thomas R. Givens,	Thomas F. Marshall,	Chas. G. Wintersmith—68.
Jacob S. Golladay,	Henry D. McHenry,	

Those who voted in the negative, were

Solomon Baker,	Hezekiah Cox,	Micajah Oglesby,
Cleaton Bane,	Norvin Green,	Green Sterett,
Joseph H. Barlow,	James H. Hundley,	Daniel B. Stivers,
James P. Bates,	John B. Laffoon,	Drury Tye,
Charles G. C. Canby,	George R. McKee,	Claiborne J. Walton,
Robert M. Carlisle,	Samuel M. Moore,	William C. Webster—18.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McNary moved a reconsideration of the vote laying on the table the bill to amend the charter of the Louisville and Elizabethtown Turnpike Road Company.

And the question being taken thereon, it was decided in the affirmative.

*Ordered*, That said bill be referred to the committee on the Judiciary.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Propositions and Grievances—1. A bill for the benefit of Travis Daniel.

By the committee on the Judiciary—2. A bill permitting the sale of real estate at the door of the city hall in the city of Covington.

By Mr. J. H. Lewis—3. A bill to incorporate the Nashville and Cincinnati Railroad Company.

By Mr. Edrington—4. A bill to authorize the county of Hickman to take and hold stock in the Ohio and Mobile Railroad Company.

By Mr. Bullitt—5. A bill incorporating the Louisville locomotive works.

By Mr. Edrington—6. A bill to authorize the town of Columbus to take and hold stock in the Ohio and Mobile Railroad Company.

By Mr. Sallee—7. A bill for the benefit of William Meredith.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, and 7th, were severally ordered to be engrossed and read a third time; and the 3d, 4th, 5th, and 6th, were referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, and 7th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McKee, from the committee on the Judiciary, to whom was referred leave to bring in the following bills, viz :

A bill to amend the charter of the town of New Castle.

A bill to extend the corporation of Russellville, in the county of Logan.

A bill for the benefit of the infant heirs of James Gay.

A bill to amend an act incorporating the town of Mountsterling.

A bill to incorporate the Salvisa and Springfield Turnpike Road Company.

A bill to amend an act, entitled, an act to incorporate the Kentucky Female Orphan School.

A bill further to protect the rights of laborers, and for other purposes.

A bill further to suppress the retail of ardent spirits.

Asked to be discharged from the further consideration of the same, which was granted.

At 12 o'clock, meridian, Mr. Helm moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Briggs and Bullitt, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,	David Elms,	Robert O. Morgan,
Solomon Baker,	John F. Gaar,	Samuel M. Moore,
Cleaton Bane,	William C. Grier,	William F. Moore,
Joseph H. Barlow,	Grant Green,	Thomas J. Nash,
James P. Bates,	Norvin Green,	Micajah Oglesby,

John S. Boyd,	Samuel Hatfield,	John J. Park,
A. H. Bryan,	Charles J. Helm,	Joel W. Sallee,
Isaac Burnett,	Alvin Herndon,	Isaac N. Shepperd,
John Calvert,	Thomas Hagins,	Napoleon B. Stone,
Charles G. C. Canby,	Alvin M. Hume,	John J. Thomas,
Robert M. Carlisle,	Garland Hurt,	Lawrence S. Trimble,
Hezekiah Cox,	John B. Laffoon,	Thornton Triplett,
Jonathan Davis,	Charles Lee,	Claiborne J. Walton,
Francis U. Dodds,	George R. McKee,	William C. Webster,
James Edelin,	William McMillan,	Alex. H. Willingham—47.
Price Edrington,	Elijah S. Mitchusson,	

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Thomas R. Harman,	Strother D. Mitchell,
Granville C. Alfred,	John B. Holladay,	Andrew Monroe,
William C. Anderson,	Benjamin F. Hume,	Barnett C. Moran,
Charles M. Briggs,	James H. Hundley,	Birch Musselman,
Joshua F. Bullitt,	William G. Jackson,	William T. Samuels,
Curtis F. Burnam,	John G. James,	Elijah G. Seabee,
James L. Caldwell,	Henry S. Johnson,	James C. Sprigg,
Willis S. Chaplin,	Alfred M. Jones,	Green Sterett,
A. D. Cosby,	John A. Keith,	Daniel B. Stivers,
Edwin S. Craig,	Benjamin H. Kerriek,	Joshua H. Thomas,
Ellis Duncan,	John J. Landrum,	William O. Thomson,
Christian Engleman,	Joseph H. Lewis,	Francis Troutman,
Elisha S. Fitch,	Robert G. Lewis,	Drury Tye,
Francis Ford,	Opie J. Lindsay,	John S. Williams,
Thomas R. Givens,	Thomas F. Marshall,	James C. Wilmore,
Jacob S. Golladay,	Henry D. McHenry,	Francis H. Winfrey,
David Griggs,	William C. McNary,	Chas. G. Wintersmith—52.
John J. Haley,		

Mr. Marshall moved to suspend the election of a United States Senator for the present.

Mr. Burnam moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Briggs and J. H. Lewis, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Thomas R. Harman,	Andrew Monroe,
Granville C. Alfred,	John B. Holladay,	Barnett C. Moran,
William C. Anderson,	Benjamin F. Hume,	William F. Moore,
Charles M. Briggs,	James H. Hundley,	Birch Musselman,
Joshua F. Bullitt,	William G. Jackson,	William T. Samuels,
Curtis F. Burnam,	John G. James,	Elijah G. Seabee,
James L. Caldwell,	Henry S. Johnson,	Isaac N. Shepperd,
Willis S. Chaplin,	Alfred M. Jones,	Green Sterett,
A. D. Cosby,	John A. Keith,	Daniel B. Stivers,
Edwin S. Craig,	Benjamin H. Kerriek,	Joshua H. Thomas,
Ellis Duncan,	John J. Landrum,	William O. Thomson,
Christian Engleman,	Joseph H. Lewis,	Francis Troutman,



Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,  
John J. Haley,

Robert G. Lewis,  
Opie J. Lindsay,  
Henry D. McHenry,  
William C. McNary,  
Strother D. Mitchell,

Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—52.

Those who voted in the negative, were

William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,  
Price Edrington,

David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
Thomas F. Marshall,  
George R. McKee,  
William McMillan,

Elijah S. Mitchusson,  
Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
James C. Sprigg,  
Napoleon B. Stone,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—47.

At half past 12 o'clock, P. M., Mr. S. M. Moore moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. S. M. Moore and Briggs, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,  
Price Edrington,

David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
George R. McKee,  
William McMillan,  
Elijah S. Mitchusson,

Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
Isaac N. Shepperd,  
James C. Sprigg,  
Napoleon B. Stone,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—47.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	John J. Haley,	William C. McNary,
Granville C. Alfred,	Thomas R. Harman,	Strother D. Mitchell,
William C. Anderson,	John B. Holladay,	Andrew Monroe,
Charles M. Briggs,	Benjamin F. Hume,	Barnett C. Moran,
Joshua F. Bullitt,	James H. Hundley,	William F. Moore,
Curtis F. Burnam,	William G. Jackson,	Birch Musselman,
James L. Caldwell,	John G. James,	William T. Samuels,
Willis S. Chaplin,	Henry S. Johnson,	Elijah G. Seabee,
A. D. Cosby,	Alfred M. Jones,	Green Sterett,
Edwin S. Craig,	John A. Keith,	Daniel B. Stivers,
Ellis Duncan,	Benjamin H. Kerrick,	Joshua H. Thomas,
Christian Engleman,	John J. Landrum,	Francis Troutman,
Elisha S. Fitch,	Joseph H. Lewis,	Drury Tye,
Francis Ford,	Robert G. Lewis,	John S. Williams,
Thomas R. Givens,	Opie J. Lindsay,	James C. Wilmore,
Jacob S. Golladay,	Thomas F. Marshall,	Francis H. Winfrey,
David Griggs,	Henry D. McHenry,	Chas. G. Wintersmith—51.

Mr. N. Green moved the following resolution, viz :

*Resolved*, That this House will postpone the balloting for United States Senator until Monday next, at 12 o'clock.

Mr. Wintersmith moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. N. Green and Webster, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Thomas R. Harman,	Strother D. Mitchell,
Granville C. Alfred,	John B. Holladay,	Andrew Monroe,
William C. Anderson,	Benjamin F. Hume,	Barnett C. Moran,
Charles M. Briggs,	James H. Hundley,	William F. Moore,
Joshua F. Bullitt,	William G. Jackson,	Birch Musselman,
Curtis F. Burnam,	John G. James,	William T. Samuels,
James L. Caldwell,	Henry S. Johnson,	Elijah G. Seabee,
Willis S. Chaplin,	Alfred M. Jones,	Green Sterett,
A. D. Cosby,	John A. Keith,	Daniel B. Stivers,
Edwin S. Craig,	Benjamin H. Kerrick,	Joshua H. Thomas,
Ellis Duncan,	John J. Landrum,	William O. Thomson,
Christian Engleman,	Joseph H. Lewis,	Francis Troutman,
Elisha S. Fitch,	Robert G. Lewis,	Drury Tye,
Francis Ford,	Opie J. Lindsay,	John S. Williams,
Thomas R. Givens,	Thomas F. Marshall,	James C. Wilmore,
Jacob S. Golladay,	Henry D. McHenry,	Francis H. Winfrey,
David Griggs,	William C. McNary,	Chas. G. Wintersmith—52.
John J. Haley,		

Those who voted in the negative, were

William Bailey,	Price Edrington,	Elijah S. Mitchusson,
Solomon Baker,	David Elms,	Robert O. Morgan,
Cleaton Bane,	John F. Gaar,	Samuel M. Moore,

Joseph H. Barlow,	William C. Grier,	Thomas J. Nash,
James P. Bates,	Grant Green,	Micajah Oglesby,
John S. Boyd,	Norvin Green,	John J. Park,
A. H. Bryan,	Samuel Hatfield,	Joel W. Sallee,
Isaac Burnett,	Alvin Herndon,	Isaac N. Shepperd,
John Calvert,	Thomas Hagins,	James C. Sprigg,
Charles G. C. Canby,	Alvin M. Hume,	John J. Thomas,
Robert M. Carlisle,	Garland Hurt,	Lawrence S. Trimble,
Hezekiah Cox,	John B. Laffoon,	Thornton Triplett,
Jonathan Davis,	Charles Lee,	Claiborne J. Walton,
Francis U. Dodds,	George R. McKee,	William C. Webster,
James Edelin,	William McMillan,	Alex. H. Willingham—45.

Mr. J. H. Lewis nominated Mr. John B. Thompson as a suitable person to fill the office of Senator in Congress, and

Mr. N. Green nominated Mr. Francis P. Stone.

Mr. Samuels then withdrew the nomination of Mr. John L. Helm.

Mr. Bullitt withdrew the nomination of Mr. Humphrey Marshall.

Mr. Mitchell withdrew the nomination of Mr. Dixon, and

Mr. Burnett withdrew the nomination of Mr. David Meriwether.

At a quarter past 1 o'clock, P. M., Mr. N. Green moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. N. Green and Webster, were as follows, viz:

Those who voted in the affirmative, were

William Bailey,	Price Edrington,	Elijah S. Mitchusson,
Solomon Baker,	David Elms,	Robert O. Morgan,
Cleaton Bane,	John F. Gaar,	Samuel M. Moore,
Joseph H. Barlow,	William C. Grier,	Thomas J. Nash,
James P. Bates,	Grant Green,	Micajah Oglesby,
John S. Boyd,	Norvin Green,	John J. Park,
A. H. Bryan,	Samuel Hatfield,	Joel W. Sallee,
Isaac Burnett,	Alvin Herndon,	Isaac N. Shepperd,
John Calvert,	Thomas Hagins,	Napoleon B. Stone,
Charles G. C. Canby,	Alvin M. Hume,	John J. Thomas,
Robert M. Carlisle,	Garland Hurt,	Lawrence S. Trimble,
Hezekiah Cox,	John B. Laffoon,	Thornton Triplett,
Jonathan Davis,	Charles Lee,	Claiborne J. Walton,
Francis U. Dodds,	George R. McKee,	William C. Webster,
James Edelin,	William McMillan,	Alex. H. Willingham—45.

Those who voted in the negative, were

Mr. Speaker, (Robertson.)	Thomas R. Harman,	Andrew Monroe,
Granville C. Alfred,	John B. Holladay,	Barnett C. Moran,
William C. Anderson,	Benjamin F. Hume,	William F. Moore,
Charles M. Briggs,	James H. Hundley,	Birch Musselman,
Joshua F. Bullitt,	William G. Jackson,	William T. Samuels,



Curtis F. Burnam,	John G. James,	Elijah G. Seebree,
James L. Caldwell,	Henry S. Johnson,	James C. Sprigg,
Willis S. Chaplin,	Alfred M. Jones,	Green Sterett,
A. D. Cosby,	John A. Keith,	Daniel B. Stivers,
Edwin S. Craig,	Benjamin H. Kerrick,	Joshua H. Thomas,
Ellis Duncan,	John J. Landrum,	William O. Thomson,
Christian Engleman,	Joseph H. Lewis,	Francis Troutman,
Elisha S. Fitch,	Robert G. Lewis,	Drury Tye,
Francis Ford,	Opie J. Lindsay,	John S. Williams,
Thomas R. Givens,	Thomas F. Marshall,	James C. Wilmore,
Jacob S. Golladay,	Henry D. McHenry,	Francis H. Winfrey,
David Griggs,	William C. McNary,	Chas. G. Wintersmith—53.
John J. Haley,	Strother D. Mitchell,	

Mr. Wintersmith moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. N. Green and A. M. Hume, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Thomas R. Harman,	Strother D. Mitchell,
Granville C. Alfred,	John B. Holladay,	Andrew Monroe,
William C. Anderson,	Benjamin F. Hume,	Barnett C. Moran,
Charles M. Briggs,	James H. Hundley,	William F. Moore,
Joshua F. Bullitt,	William G. Jackson,	Birch Musselman,
Curtis F. Burnam,	John G. James,	William T. Samuels,
Willis S. Chaplin,	Henry S. Johnson,	Elijah G. Seebree,
A. D. Cosby,	Alfred M. Jones,	Green Sterett,
Edwin S. Craig,	John A. Keith,	Daniel B. Stivers,
Ellis Duncan,	Benjamin H. Kerrick,	Joshua H. Thomas,
Christian Engleman,	John J. Landrum,	William O. Thomson,
Elisha S. Fitch,	Joseph H. Lewis,	Francis Troutman,
Francis Ford,	Robert G. Lewis,	Drury Tye,
Thomas R. Givens,	Opie J. Lindsay,	John S. Williams,
Jacob S. Golladay,	Thomas F. Marshall,	James C. Wilmore,
David Griggs,	Henry D. McHenry,	Francis H. Winfrey,
John J. Haley,	William C. McNary,	Chas. G. Wintersmith—51.

Those who voted in the negative, were

William Bailey,	John F. Gaar,	Robert O. Morgan,
Solomon Baker,	William C. Grier,	Samuel M. Moore,
Cleaton Banc,	Grant Green,	Thomas J. Nash,
James P. Bates,	Norvin Green,	Micajah Oglesby,
John S. Boyd,	Samuel Hatfield,	John J. Park,
A. H. Bryan,	Charles J. Helm,	Joel W. Sallee,
Isaac Burnett,	Alvin Herndon,	Isaac N. Shepperd,
John Calvert,	Thomas Hagins,	James C. Sprigg,
Charles G. C. Canby,	Alvin M. Hume,	Napoleon B. Stone,
Robert M. Carlisle,	Garland Hurt,	John J. Thomas,
Hezekiah Cox,	John B. Laffoon,	Lawrence S. Trimble,
Jonathan Davis,	Charles Lee,	Thornton Triplett,

Francis U. Dodds,  
James Edelin,  
Price Edrington,  
David Elms,

George R. McKee,  
William McMillan,  
Elijah S. Mitchusson,

Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—46.

And then the House adjourned.

SATURDAY, DECEMBER 13, 1851.

1. Mr. J. J. Thomas presented the petition of Larkin Harned and sundry citizens of Christian county, praying compensation for repairing the Christian, Todd, and Logan Turnpike road.

2. Also, the petition of sundry citizens of Christian county, praying the passage of a law in relation to the sale of ardent spirits.

3. Also, the petition of Isaac Landes, and others, praying an alteration in the limits of the town of Hopkinsville.

4. Mr. Anderson presented the petition of sundry citizens of Danville, praying an amendment to the charter of said town.

5. Mr. S. M. Moore presented the resolutions of sundry citizens of Kenton county, in relation to the improvement of Licking river.

6. Mr. James presented the petition of the mayor and council of the city of Lexington, praying an amendment to their charter.

7. Mr. N. Green presented the petition of B. H. Rowan, and others, of Henry county, praying the passage of a law in relation to the traffic in ardent spirits.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims; the 2d and 3d to the committee on Propositions and Grievances; the 4th, 5th, and 6th, to the committee on the Judiciary; and the 7th to the committee on Education.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act for the benefit of the Sheriff of Jessamine county.

An act to incorporate the Mountsterling, Kiddville, Red River Iron Works, and Irvine Turnpike Road Company.

That they had passed bills of the following titles, viz :

An act to amend an act, entitled, an act to incorporate the Bank Lick Turnpike Road Company.

An act for the benefit of the Sheriff of Union county.

An act to establish the line between the counties of Knox and Clay.

An act to change the time of electing Justices of the Peace and Constables.

The Speaker laid before the House the report of the Commissioners of the Second Lunatic Asylum, which is as follows, viz :

*To the General Assembly of the Commonwealth of Kentucky :*

The undersigned, commissioners of the Second Kentucky Lunatic Asylum, would respectfully report, that since their last report they have expended in the erection of said building the following sums, viz :

For cut stone work, - - - - -	\$ 1,211 37
For brick and brick masonry, - - - - -	1,807 53
For carpenters' work, - - - - -	3,894 32
For lumber, - - - - -	1,279 39
For paints and painting, - - - - -	279 55
For hardware, nails, &c., - - - - -	103 76
For architect, superintendence, &c., - - - - -	1,350 00
For incidental expenses, - - - - -	10 00
For smith work, - - - - -	8 00
For tin work, gutters, &c., - - - - -	1,467 73
Total amount of expenditures for 1851, - - - - -	\$ 11,411 65
To which add the amount due contractors on the 1st of January, 1851, as shown by our last annual report, - - - - -	31,643 29
Making, in the aggregate, - - - - -	\$ 43,054 94
We have paid out in liquidation of this amount, the balance in the hands of the commissioners on 1st January, 1851, - - - - -	\$ 381 98
Amount received from treasury, being balance of appropriation under act of 1850, - - - - -	10,000 00
	\$ 10,381 98
Balance due to contractors, - - - - -	\$ 32,672 96

From the above statement, it will be seen that the amount now due to the various contractors, is the sum of \$ 32,672 96, and that no part of the appropriation of the last session has, as yet, come to our hands, but for which we have made a requisition upon the treasury, and we have received information that it will shortly be placed at our disposal. When that appropriation is received, and the debts paid, there will be a balance on hand unexpended of \$2,327 04.

It is estimated, that to finish the asylum and to make the necessary paving, sewers for draining, water works, cisterns, &c., and to fence in the grounds, and to erect all the necessary out buildings, and to have the institution in a complete condition for the reception and classification of patients, that the sum of \$61,300 00 will be required, deducting therefrom the sum in our hands.

The commissioners, a few days since, were favored by a visit from Messrs. Hugh Rodman, Robert Mallory, and F. C. Sharp, commissioners appointed by the governor, under an act of the last session, to visit the institution, settle the accounts of the undersigned, and report the condition of the same to the general assembly. Upon their arrival in this



place, we waited upon those gentlemen and conducted them to the building, which they inspected; and we also submitted to their inspection and examination our books and papers, with our accounts, for settlement; the result, they will doubtless report to your honorable body. To their report we would ask leave to refer for a more detailed statement for all matters in reference to the said institution.

The undersigned would state that they have been deprived of the services of one of their co-laborers, (Mr. Samuel Shryock,) by his removal to Tennessee, about the commencement of the present year. Whether his removal will be permanent, or merely temporary, they are unadvised.

JOHN P. CAMPBELL,  
JAMES F. BUCKNER,

HOPKINSVILLE, December 8, 1851. *Commissioners.*

*Ordered,* That said report be referred to the committee on Ways and Means; and that the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Jones, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, viz:

An act for the benefit of John Wallis.

An act for the benefit of the Sheriff of Pendleton county.

An act for the benefit of the Sheriff of Butler county.

An act to authorize William Garrard to build a fish dam and trap across Main Licking river.

An act to incorporate the Winchester and Kiddville Turnpike Road Company.

An act for the benefit of the Sheriff of Breathitt county.

An act for the benefit of Elisha Breeding.

An act to incorporate Proctor Division, No. 205, Sons of Temperance.

An act to change the place of voting in the Worthville district, in Carroll county.

An act to authorize the Clerk of the Logan County Court to transcribe and have re-bound certain record books.

An act to authorize the Clerk of the Henderson County Court to transcribe and index certain records in his office.

An act to authorize a change in the state road in Todd county.

An act to change the time of holding the Court of Claims in Bath county.

An act declaring Griffey's creek navigable.

An act for the benefit of Joseph Card, of Jessamine county.

An act for the benefit of Kean O'Hara.

An act to change the time of holding the Clinton Circuit Court, and allowing an additional week to the Cumberland Circuit Court.

An act to incorporate the town of Lovelaceville, in Ballard county.

An act to amend the several acts regulating the election of trustees of the town of Scottsville.

And bills and resolutions, which originated in the Senate, of the following titles, to-wit :

An act to amend an act, entitled, an act to regulate the retailing of ardent spirits.

An act to re-establish and re-mark corners of the sectionized lands west of the Tennessee river.

An act declaring the Open Fork of Paint creek, and Abbott's creek navigable streams.

An act for the benefit of the Owenton and Ross' Mill Turnpike Road Company.

An act to incorporate the Polish House of Israel.

An act to amend an act to encourage the general diffusion of education.

An act for the benefit of certain school districts in Barren and Monroe counties.

An act in relation to the records of the Jefferson County Court.

An act allowing a special term of the Fleming County Court.

A resolution in relation to the Revised Statutes.

A resolution adding Thomas J. Smith to the committee on Banks.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Jones inform the Senate thereof.

A message was received from the Governor, by Mr. METCALFE, Assistant Secretary of State, announcing that he had approved and signed, enrolled bills, which originated in this House, of the following titles, to-wit :

An act for the benefit of Stephen Adams, Deputy Sheriff of Clarke county.

An act for the benefit of John Friend and Jacob Fitzpatrick.

An act to amend an act, entitled, an act incorporating the town of Livermore, in Ohio county, and for other purposes.

An act authorizing portions of the State roads in Kenton county to be closed.

An act authorizing the Ohio County Court to establish a new election precinct, and change the boundaries of others in said county.

An act declaratory of the power of the city of Lexington to tax Insurance companies and Lottery offices.

An act to incorporate Caseyville Lodge, No. 168, of Free and Accepted Masons.

An act to incorporate Clay Lodge, No. 38, Independent Order of Odd Fellows.

An act to incorporate the town of Eminence.

An act to incorporate Pitman Lodge, No. 124.

An act for the benefit of the Sheriff of Garrard county.

An act changing the time of holding the Court of Claims in Oldham county.

An act for the benefit of the town of Lebanon, in Marion county.

An act for the benefit of persons holding lands lying back of other lands in the vicinity of any of the navigable streams in this state.

An act authorizing a special term of the Fleming Circuit Court.

An act to regulate the duties of Jailers relative to runaway slaves.

An act changing the time of holding the Court of Claims in Mason county.

Approved December 6, 1851.

Mr. Landrum moved the following resolution :

*Resolved*, That the committee on County Courts be instructed to inquire into the expediency of investing the county court with full power to create new election districts and precincts ; and that they report by bill or otherwise.

Which was adopted.

Mr. Wintersmith moved the following resolutions, viz :

*Resolved*, That the constitution requires that a compensation be provided, by law, for the presiding judge of the county court.

*Resolved*, That the act of March 11, 1851, does not provide such compensation, as is required.

*Resolved*, That the committee on Revised Statutes prepare and introduce a bill for that purpose.

Which was adopted.

Mr. A. M. Hume moved the following resolution, viz :

*Resolved*, That on and after the 15th instant, this House will take a recess at 1 o'clock, and convene again at 3 o'clock, p. m., and proceed to the consideration of the report on the revised statutes.

The said resolution was then amended by striking out the "15th" and inserting the "22d."

Mr. W. F. Moore moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Shepperd and Anderson, were as follows, viz :

Those who voted in the affirmative, were

Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
John Calvert,  
Edwin S. Craig,

Jonathan Davis,  
Francis U. Dodds,  
Jacob S. Golladay,  
David Griggs,  
John B. Holladay,  
Alvin M. Hume,  
Benjamin F. Hume,

James H. Hundley,  
Henry S. Johnson,  
John A. Keith,  
Robert G. Lewis,  
Opie J. Lindsay,  
Henry D. McHenry,  
Elijah S. Mitchusson,



Andrew Monroe,  
Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
William T. Samuels,

James C. Sprigg,  
Daniel B. Stivers,  
John J. Thomas,  
William O. Thomson,  
Francis Troutman,

Drury Tye,  
Alex. H. Willingham,  
Francis H. Winfrey,  
Chas. G. Wintersmith—35.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Francis Ford,	Thomas F. Marshall,
Granville C. Alfred,	John F. Gaar,	William McMillan,
William C. Anderson,	Thomas R. Givens,	William C. McNary,
William Bailey,	William C. Grier,	Strother D. Mitchell,
James P. Bates,	Grant Green,	Robert O. Morgan,
Charles M. Briggs,	Thomas R. Harman,	Samuel M. Moore,
Isaac Burnett,	Samuel Hatfield,	Thomas J. Nash,
James L. Caldwell,	Charles J. Helm,	Micajah Oglesby,
Charles G. C. Canby,	Alvin Herndon,	John J. Park,
Robert M. Carlisle,	Thomas Hagins,	Joel W. Sallee,
A. D. Cosby,	John G. James,	Elijah G. Seebree,
Hezekiah Cox,	Alfred M. Jones,	Isaac N. Shepperd,
Ellis Duncan,	Benjamin H. Kerrick,	Green Sterett,
James Edelin,	John B. Laffoon,	Joshua H. Thomas,
Price Edrington,	John J. Landrum,	Lawrence S. Trimble,
David Elms,	Charles Lee,	Thornton Triplett,
Christian Engleman,	Joseph H. Lewis,	Claiborne J. Walton—51.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the negative. And so the said resolution was rejected.

Mr. Hundley moved the following resolution, viz :

*Resolved*, That no member of this House be permitted to speak more than 15 minutes on any one subject, after the 14th instant.

Mr. Samuels moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Trimble moved the following resolution, viz :

*Resolved*, That the committee on Congressional Districts be instructed, at 11 o'clock on Wednesday next, to report to this House what official data they have before them to lay of said districts.

Which was adopted.

Mr. Mitchell moved the following resolution, viz :

*Resolved*, That there be appointed four committees—one from the 1st, one from the 2d, one from the 3d, and one from the 4th appellate judicial districts—who shall ascertain the sense of the members of this House, from their respective district, as to the point, in each, at which the terms of the court of appeals shall be held, and report to this House, in writing, on or before the 20th instant.

Mr. McKee moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wintersmith and Webster, were as follows, viz :

Those who voted in the affirmative, were

Solomon Baker,	Benjamin F. Hume,	Birch Musselman,
John S. Boyd,	John G. James,	Thomas J. Nash,
Charles M. Briggs,	Henry S. Johnson,	Joel W. Sallee,
James L. Caldwell,	John A. Keith,	James C. Sprigg,
Charles G. C. Canby,	Joseph H. Lewis,	Green Sterett,
Edwin S. Craig,	Robert G. Lewis,	William O. Thomson,
Ellis Duncan,	Opie J. Lindsay,	Francis Troutman,
Christian Engleman,	Thomas F. Marshall,	Drury Tye,
Elisha S. Fitch,	George R. McKee,	William C. Webster,
John F. Gaar,	William McMillan,	James C. Wilmore,
Jacob S. Golladay,	William C. McNary,	Francis H. Winfrey,
David Griggs,	Andrew Monroe,	Chas. G. Wintersmith—38.
John B. Holladay,	Barnett C. Moran,	

Those who voted in the negative, were

Mr. Speaker (Robertson,)	Francis Ford,	Strother D. Mitchell,
Granville C. Alfred,	Thomas R. Givens,	Elijah S. Mitchusson,
William C. Anderson,	William C. Grier,	Robert O. Morgan,
William Bailey,	Grant Green,	Samuel M. Moore,
Cleaton Bane,	Thomas R. Harman,	William F. Moore,
Joseph H. Barlow,	Samuel Hatfield,	Micajah Oglesby,
Joshua F. Bullitt,	Charles J. Helm,	John J. Park,
Isaac Burnett,	Alvin Herndon,	Isaac N. Shepperd,
Robert M. Carlisle,	Thomas Hagins,	Napoleon B. Stone,
A. D. Cosby,	Alvin M. Hume,	John J. Thomas,
Hezekiah Cox,	James H. Hundley,	Joshua H. Thomas,
Jonathan Davis,	William G. Jackson,	Lawrence S. Trimble,
Francis U. Dodds,	Alfred M. Jones,	Thornton Triplett,
James Edelin,	John B. Laffoon,	Claiborne J. Walton,
Price Edrington,	Charles Lee,	John S. Williams,
David Elms,	Henry D. McHenry,	Alex. H. Willingham—48.

The said resolution was then adopted.

Leave was given to bring in the following bills, viz :

On motion of Mr. Canby—1. A bill to change the line between the Burlington and Taylorsville election precincts in Boone county.

On motion of Mr. Anderson—2. A bill for the benefit of William A. Bridges.

On motion of same—3. A bill for the benefit of the infant children of Robert C. Smith, deceased.

On motion of Mr. J. H. Thomas—4. A bill authorizing the judge of the Breckinridge county court to hold courts in April and July.

On motion of Mr. Lee—5. A bill extending the town limits of Shepherdsville, in Bullitt county.

On motion of same—6. A bill to amend an act, entitled, an act to amend the law on the subject of runaway slaves.

On motion of Mr. Mitchusson—7. A bill for the benefit of School District Nos. 19, 23, and 24, of Larue county.

On motion of Mr. Dodds—8. A bill for the benefit of School District No. 21, in Calloway county.

On motion of Mr. Helm—9. A bill to incorporate Albion Female Collegiate Institute.

On motion of same—10. A bill to incorporate Carthage Division, No. 208, Sons of Temperance.

On motion of same—11. A bill to change the time of holding the quarterly terms of the Campbell county court.

On motion of Mr. Cox—12. A bill to repeal an act, entitled, an act to extend the limits of the town of Ghent, in Carroll county, approved February 19, 1849.

On motion of Mr. Park—13. A bill to amend an act, entitled, an act to incorporate the Lexington and Big Sandy Railroad Company.

On motion of Mr. Stone—14. A bill empowering the County Court of Russell county to lay an additional county levy.

On motion of Mr. Winfrey—15. A bill for the benefit of the sheriff of Cumberland county.

On motion of same—16. A bill for the benefit of Gholson Wisdom, of Cumberland county.

On motion of Mr. Ford—17. A bill for the benefit of School District No. 20, in Crittenden county.

On motion of Mr. Cosby—18. A bill to incorporate the town of Calhoun, in Daviess county.

On motion of Mr. Fitch—19. A bill for the benefit of the Flemingsburg and Mount Carmel Turnpike Road Company.

On motion of same—20. A bill to incorporate Fleming Division, No. 259, Sons of Temperance.

On motion of same—21. A bill to amend an act, entitled, an act to organize County Courts in the several counties, approved March 11, 1851.

On motion of Mr. Monroe—22. A bill to amend an act, entitled, an act to protect the rights of married women.

On motion of same—23. A bill to amend the law regulating the fees of county surveyors.

On motion of same—24. A bill to incorporate the Frankfort and Covington Railroad Company.

On motion of Mr. Landrum—25. A bill to incorporate the Napoleon and Big Bone Lick Turnpike Road Company.

On motion of Mr. Willingham—26. A bill authorizing the Judge of the Graves County Court to subscribe stock in certain railroads.



On motion of Mr. Edelin—27. A bill for the benefit of the proprietors of the Grayson Springs.

On motion of Mr. Grier—28. A bill for the benefit of the Peddlers of this Commonwealth.

On motion of Mr. Sterett—29. A bill to amend an act, entitled, an act to amend the Common School Laws, approved March 3, 1851.

On motion of Mr. Boyd—30. A bill for the benefit of William A. Withers.

On motion of Mr. N. Green—31. A bill to incorporate New Castle Division, No. 114, Sons of Temperance.

On motion of Mr. Kerrick—32. A bill to change the place of voting in the Boston precinct, in Jefferson county.

On motion of Mr. S. M. Moore—33. A bill for the benefit of the Sheriff of Kenton county.

On motion of W. F. Moore—34. A bill to increase the jurisdiction of the Presiding Judges of the County Courts.

On motion of same—35. A bill to alter Districts Nos. 3 and 4, in Lawrence county, and change the place of voting.

On motion of same—36. A bill reducing the time of limitations in actions for the recovery of real estate.

On motion of Mr. Hundley—37. A bill to change the place of voting from the house of Sarah Bates, in Letcher county, to the mouth of Mile Stone, in the same district.

On motion of Mr. Engleman—38. A bill to charter the Knob Lick Turnpike Road Company, in Lincoln county.

On motion of Mr. Morgan—39. A bill for the benefit of the administrators of James C. Leach, former sheriff of Livingston county.

On motion of Mr. Craig—40. A bill to amend an act, entitled, an act to regulate the duties and fees of the Sealer of Weights and Measures in the county of Jefferson, and for other purposes.

On motion of Mr. Bullitt—41. A bill to amend the law relating to the bonds of Bank Officers.

On motion of same—42. A bill to amend the Charter of the Louisville and Nashville Railroad Company.

On motion of Mr. Burnam—43. A bill to change the lines of certain Justices' Districts in Madison county.

On motion of Mr. Nash—44. A bill for the benefit of Samuel T. Ray.

On motion of Mr. Keith—45. A bill to charter a company to construct a Plank or Turnpike Road from Maysville to the crossing of Blue Run, near Benjamin Moran's, in Mason county.

On motion of Mr. Johnson—46. A bill to incorporate Minerva Division, No. 64, Sons of Temperance, in Mason county.

On motion of Mr. Trimble—47. A bill for the benefit of Common Schools in McCracken county.

On motion of Mr. Mitchell—48. A bill to amend the charter of the Lexington and Big Sandy Railroad Company.

On motion of same—49. A bill to incorporate the Paris and Mount-sterling Railroad Company.

On motion of Mr. Holladay—50. A bill for the benefit of Mordecai Wells.

On motion of same—51. A bill to amend the law regulating tolls on Turnpike Roads.

On motion of Mr. McNary—52. A bill to amend an act, entitled, an act to amend the act establishing the Morgantown Seminary, approved March 22, 1851.

On motion of same—53. A bill to incorporate the Presbyterian Academy, of Greenville.

On motion of Mr. Triplett—54. A bill for the benefit of the Sheriff of Oldham county.

On motion of Mr. McHenry—55. A bill to regulate the fees of the Police Judge of the town of Hartford.

On motion of Mr. Calvert—56. A bill for the benefit of the Sheriff of Owen county.

On motion of Mr. B. F. Hume—57. A bill further to protect slave property.

On motion of same—58. A bill to incorporate a Turnpike or Plank Road Company from Williamstown to Falmouth.

On motion of Mr. Sprigg—59. A bill in relation to the Common School system.

On motion of Mr. Hatfield—60. A bill for the benefit of Francis M. Clarke, of Simpson county.

On motion of Mr. Davis—61. A bill to amend an act, entitled, an act for the benefit of the heirs of James and Matthew Wakefield.

On motion of Mr. Webster—62. A bill to authorize the County Court of Taylor county to build a Work-House in said county.

On motion of same—63. A bill for the benefit of the Sheriff of Taylor county.

On motion of Mr. Sebree—64. A bill to incorporate the Parochial School, at Elkton.

On motion of same—65. A bill to provide for the survey and re-marking the line between the counties of Todd and Muhlenburg.

On motion of Mr. Givens—66. A bill for the benefit of Hiram Lenour, of Union county.

On motion of Mr. Briggs—67. A bill for the benefit of the widows and children of persons killed on railroads.

On motion of same—68. A bill to amend the act incorporating the town of Lancaster.

On motion of Mr. Shepperd—69. A bill to charter Wayne Division, No. 176, Sons of Temperance.

On motion of same—70. A bill to change the manner of selecting Grand Jurors.

On motion of same—71. A bill for the benefit of School District No. 61, in Wayne county.

On motion of same—72. A bill to repeal so much of the law as requires the Wayne county court to keep a Stray Pen.

On motion of Harman—73. A bill to repeal an act, entitled, an act to empower the Trustees of Williamsburg to sell a portion of a street in said town.

On motion of Mr. Winfrey—74. A bill to amend the Road Laws.

On motion of Mr. Williams—75. A bill to amend the charter of the Paris and Winchester Turnpike Road Company.

On motion of Mr. Thomson—76. A bill to incorporate Lodge No. 154 of Free and Accepted Masons.

On motion of same—77. A bill to authorize the Clerk of the Bracken Circuit and County Courts to transcribe certain record books.

On motion of same—78. A bill to amend an act concerning Public Roads and Highways in Bracken county, approved February 25, 1835.

On motion of Mr. Bailey—79. A bill for the benefit of William Richards.

*Ordered*, That the committee on the Judiciary prepare and bring in the 1st, 2d, 3d, 6th, 10th, 20th, 22d, 24th, 30th, 31st, 33d, 39th, 43d, 49th, 54th, 55th, 61st, 62d, 75th, 76th, 77th, and 78th; Messrs. J. H. Thomas, Kerrick, and Griggs, the 4th; Messrs. Lee, Hurt, and Samuels, the 5th; the committee on Education, the 7th, 8th, 9th, 17th, 47th, 52d, and 71st; the committee on County Courts, the 11th; Messrs. Cox, Bates, and Stone, the 12th; the committee on Internal Improvement, the 13th, 19th, 38th, 48th, and 58th; Messrs. Stone, Wilmore, and Anderson, the 14th; Messrs. Winfrey, Samuels, and Carlisle, the 15th; Messrs. Winfrey, Samuels, and S. M. Moore, the 16th; Messrs. Cosby, G. Green, and Canby, the 18th; the committee on the Revised Statutes, the 21st; Messrs. Monroe, Musselman, and Craig, the 23d; Messrs. Landrum, Canby, and Lindsay, the 25th; Messrs. Willingham, Trimble, and Dodds, the 26th; Messrs. Edelin, Wintersmith, and Grier, the 27th; Messrs. Grier, Sallee, and Alfred, the 28th; Messrs. Sterett, Haley, and McNary, the 29th; Messrs. Kerrick, Garr, and Griggs, the 32d; Messrs. W. F.



Moore, Mitchell, and Williams, the 34th; the committee on Privileges and Elections, the 35th; Messrs. W. F. Moore, Hurt, and Williams, the 36th; Messrs. Hundley, Sallee, and Grier, the 37th; Messrs. Craig, Bullitt, and Musselman, the 40th; Messrs. Bullitt, J. H. Lewis, and Wintersmith, the 42d; the committee on Banks, the 41st; Messrs. Nash, Willingham, and Webster, the 44th; Messrs. Keith, Johnson, and Holladay, the 45th; Messrs. Johnson, Keith, and Holladay, the 46th; the committee on Propositions and Grievances, the 50th, 57th, and 73d; Messrs. Holladay, Troutman, and Williams, the 51st; Messrs. McNary, Sebree, and McHenry, the 53d; Messrs. Calvert, Bates, and Cox, the 56th; Messrs. Sprigg, N. Green, and Sterett, the 59th; the committee on Ways and Means, the 60th and 66th; Messrs. Webster, Nash, and Boyd, the 63d; Messrs. Sebree, McNary, and Golladay, the 64th; Messrs. Sebree, Golladay, and J. J. Thomas, the 65th; Messrs. Briggs, Mitchell, and McHenry, the 67th; Messrs. Briggs, McKee, and Samuels, the 68th; Messrs. Shepperd, Stone, and Winfrey, the 69th; Messrs. Shepperd, Anderson, and Stone, the 70th; Messrs. Shepperd, Anderson, and Wilmore, the 72d; Messrs. Winfrey, S. M. Moore, and Mitchell, the 74th; and Messrs. Bailey, Bates, and Trimble, the 79th.

Mr. McHenry moved the following resolution, viz:

*Resolved*, That the committee on Ways and Means be instructed to inquire into the propriety of adopting some method of examination into the affairs of the banks and the several humane institutions of this commonwealth, other than by a committee of the general assembly.

Which was adopted.

Mr. Nash, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of Samuel T. Ray, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The hour of 12 o'clock having arrived, the Speaker called for the orders of the day.

Mr. Sprigg insisted that the orders of the day were dispensed with by the resolution of Mr. Triplett, on Saturday last.

The Speaker decided that said resolution did not dispense with the orders of the day.

From which decision, Mr. Sprigg took an appeal.

Mr. Wintersmith moved to lay said appeal on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wintersmith and Webster, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	Thomas R. Harman,	Barnett C. Moran,
William C. Anderson,	Charles J. Helm,	William F. Moore,
Joseph H. Barlow,	John B. Holladay,	Birch Musselman,
John S. Boyd,	Benjamin F. Hume,	Thomas J. Nash,
Charles M. Briggs,	James H. Hundley,	William T. Samuels,
Joshua F. Bullitt,	William G. Jackson,	Elijah G. Sebre,
Curtis F. Burnam,	John G. James,	Isaac N. Shepperd,
Isaac Burnett,	Henry S. Johnson,	Green Sterett,
James L. Caldwell,	Alfred M. Jones,	Daniel B. Stivers,
Charles G. C. Canby,	John A. Keith,	Napoleon B. Stone,
Willis S. Chaplin,	Benjamin H. Kerrick,	John J. Thomas,
A. D. Cosby,	John B. Laffoon,	Joshua H. Thomas,
Edwin S. Craig,	John J. Landrum,	William O. Thomson,
Francis U. Dodds,	Joseph H. Lewis,	Lawrence S. Trimble,
Ellis Duncan,	Robert G. Lewis,	Francis Troutman,
Price Edrington,	Opie J. Lindsay,	Drury Tye,
Christian Engleman,	Thomas F. Marshall,	Claiborne J. Walton,
Elisha S. Fitch,	Henry D. McHenry,	William C. Webster,
Francis Ford,	George R. McKee,	John S. Williams,
Jacob S. Golladay,	William McMillan,	James C. Wilmore,
David Griggs,	William C. McNary,	Francis H. Winfrey,
Grant Green,	Strother D. Mitchell,	Chas. G. Wintersmith—68.
John J. Haley,	Andrew Monroe,	

Those who voted in the negative, were

William Bailey,	John F. Gaar,	Robert O. Morgan,
Solomon Baker,	Thomas R. Givens,	Samuel M. Moore,
James P. Bates,	William C. Grier,	Joseph A. Nevitt,
A. H. Bryan,	Norvin Green,	Micajah Oglesby,
John Calvert,	Samuel Hatfield,	John J. Park,
Robert M. Carlisle,	Alvin Herndon,	Joel W. Sallee,
Hezekiah Cox,	Thomas Hagins,	James C. Sprigg,
Jonathan Davis,	Alvin M. Hume,	Thornton Triplett,
James Edelin,	Charles Lee,	Alex. H. Willingham—29.
David Elms,	Elijah S. Mitchusson,	

Mr. Bates nominated Mr. Hise as a suitable person to fill the office of of Senator in Congress, and was proceeding to make remarks on said nomination, when the Speaker decided that as the previous question had been moved and sustained on yesterday, the remarks were out of order.

From which decision of the Chair, Mr. Bates took an appeal.

Mr. Monroe moved to lay said appeal on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Monroe and Briggs, were as follows, viz :

## Those who voted in the affirmative, were

Granville C. Alfred,	Thomas R. Harman,	Andrew Monroe,
William C. Anderson,	John B. Holladay,	Barnett C. Moran,
William Bailey,	Benjamin F. Hume,	William F. Moore,
Cleaton Bane,	James H. Hundley,	Birch Musselman,
Charles M. Briggs,	William G. Jackson,	William T. Samuels,
Joshua F. Bullitt,	John G. James,	Elijah G. Seabee,
Curtis F. Burnam,	Henry S. Johnson,	Green Sterett,
James L. Caldwell,	Alfred M. Jones,	Daniel B. Stivers,
Willis S. Chaplin,	John A. Keith,	Joshua H. Thomas,
A. D. Cosby,	Benjamin H. Kerrick,	William O. Thomson,
Edwin S. Craig,	John J. Landrum,	Francis Troutman,
Ellis Duncan,	Joseph H. Lewis,	Drury Tye,
Christian Engleman,	Robert G. Lewis,	Claiborne J. Walton,
Elisha S. Fitch,	Opie J. Lindsay,	John S. Williams,
Francis Ford,	Henry D. McHenry,	James C. Wilmore,
Jacob S. Golladay,	William C. McNary,	Francis H. Winfrey,
David Griggs,	Strother D. Mitchell,	Chas. G. Wintersmith—52.
John J. Haley,		

## Those who voted in the negative, were

Solomon Baker,	Thomas R. Givens,	Robert O. Morgan,
Joseph H. Barlow,	William C. Grier,	Samuel M. Moore,
James P. Bates,	Grant Green,	Thomas J. Nash,
John S. Boyd,	Norvin Green,	Joseph A. Nevitt,
A. H. Bryan,	Samuel Hatfield,	Micajah Oglesby,
Isaac Burnett,	Charles J. Helm,	John J. Park,
John Calvert,	Alvin Herndon,	Joel W. Sallee,
Charles G. C. Canby,	Thomas Hagins,	Isaac N. Shepperd,
Robert M. Carlisle,	Alvin M. Hume,	James C. Sprigg,
Hezekiah Cox,	Garland Hurt,	Napoleon B. Stone,
Jonathan Davis,	John B. Laffoon,	John J. Thomas,
Francis U. Dodds,	Charles Lee,	Lawrence S. Trimble,
James Edelin,	Thomas F. Marshall,	Thornton Triplett,
Price Edrington,	William McMillan,	William C. Webster,
David Elms,	Elijah S. Mitchusson,	Alex. H. Willingham—46.
John F. Gaar,		

At 1 o'clock P. M., Mr. Webster moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Webster and G. Green, were as follows, viz:

## Those who voted in the affirmative, were

William Bailey,	Price Edrington,	Elijah S. Mitchusson,
Solomon Baker,	David Elms,	Robert O. Morgan,
Cleaton Bane,	John F. Gaar,	Samuel M. Moore,
Joseph H. Barlow,	William C. Grier,	Thomas J. Nash,
James P. Bates,	Grant Green,	Joseph A. Nevitt,
John S. Boyd,	Norvin Green,	Micajah Oglesby,
A. H. Bryan,	Samuel Hatfield,	John J. Park,
Isaac Burnett,	Charles J. Helm,	Joel W. Sallee,



John Calvert,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,

Alvin Herndon,  
Thomas Hagins,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
William McMillan,

Isaac N. Shepperd,  
Napoleon B. Stone,  
Lawrence S. Trimble,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Wilingham—42.

Those who voted in the negative, were

Mr. Speaker (Robertson),  
Granville C. Alfred,  
William C. Anderson,  
Charles M. Briggs,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
James L. Caldwell,  
Charles G. C. Canby,  
Willis S. Chaplin,  
A. D. Cosby,  
Edwin S. Craig,  
Ellis Duncan,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,  
John J. Haley,  
Thomas R. Harman,

John B. Holladay,  
Alvin M. Hume,  
Benjamin F. Hume,  
James H. Hundley,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
Thomas F. Marshall,  
Henry D. McHenry,  
George R. McKee,  
William C. McNary,  
Strother D. Mitchell,

Andrew Monroe,  
Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
William T. Samuels,  
Elijah G. Sebree,  
James C. Sprigg,  
Green Sterett,  
Daniel B. Stivers,  
John J. Thomas,  
Joshua H. Thomas,  
William O. Thomson,  
Thornton Triplett,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—53.

Mr. Bates then withdrew the nomination of Mr. Hise.

The House then proceeded to the election of United States Senator, and the vote being taken, it stood thus:

Those who voted for Mr. Thompson, were

Mr. Speaker (Robertson),  
Granville C. Alfred,  
William C. Anderson,  
Charles M. Briggs,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
James L. Caldwell,  
Willis S. Chaplin,  
A. D. Cosby,  
Edwin S. Craig,  
Ellis Duncan,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,  
John J. Haley,

Thomas R. Harman,  
John B. Holladay,  
Benjamin F. Hume,  
James H. Hundley,  
William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
Thomas F. Marshall,  
Henry D. McHenry,  
George R. McKee,  
William C. McNary,

Strother D. Mitchell,  
Andrew Monroe,  
Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
William T. Samuels,  
Elijah G. Sebree,  
Green Sterett,  
Daniel B. Stivers,  
Joshua H. Thomas,  
William O. Thomson,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—53.

Those who voted for Mr. Stone, were

William Bailey,	David Elms,	Samuel M. Moore,
Solomon Baker,	John F. Gaar,	Thomas J. Nash,
Cleaton Bane,	William C. Grier,	Joseph A. Nevitt,
Joseph H. Barlow,	Grant Green,	Micajah Oglesby,
James P. Bates,	Norvin Green,	John J. Park,
John S. Boyd,	Samuel Hatfield,	Joel W. Sallee,
A. H. Bryan,	Charles J. Helm,	Isaac N. Shepperd,
Isaac Burnett,	Alvin Herndon,	James C. Sprigg,
John Calvert,	Thomas Hagins,	Napoleon B. Stone,
Charles G. C. Canby,	Alvin M. Hume,	John J. Thomas,
Robert M. Carlisle,	Garland Hurt,	Lawrence S. Trimble,
Hezekiah Cox,	John B. Laffoon,	Thornton Triplett,
Jonathan Davis,	Charles Lee,	Claiborne J. Walton,
Francis U. Dodds,	William McMillan,	William C. Webster,
James Edelin,	Elijah S. Mitchusson,	Alex. H. Willingham—47.
Price Edrington,	Robert O. Morgan,	

Messrs. Burnam, N. Green, and Marshall, were appointed the committee on the part of this House, to act in conjunction with the committee on the part of the Senate, to compare the joint vote, and report the result.

After a short time Mr. Burnam, from said committee, reported that the joint vote stood thus:

For John B. Thompson,	- - - - -	73
For Francis P. Stone,	- - - - -	65

Whereupon, Mr. John B. Thompson was declared duly elected Senator in Congress from and after the 3d of March, 1853.

On motion of Mr. McNary, leave of absence for Monday next was granted him.

And then the House adjourned.

MONDAY, DECEMBER 15, 1851.

1. Mr. G. Green presented the petition of sundry citizens of Henderson county, praying an appropriation in aid of the Colonization Society.

2. Also, the petition of the voters in District No. 4, in Henderson county, praying a change in the voting place in said district.

3. Mr. Canby presented the petition of sundry citizens of Boone county, praying the passage of a law in relation to the traffic in ardent spirits.

4. Mr. Monroe presented the petition of sundry citizens of Green and Adair counties, praying the passage of a law in relation to the traffic in ardent spirits.

5. Mr. Lindsay presented the petition of sundry citizens, praying a change in the county line between Grant and Kenton counties.

6. Mr. N. Green presented the petition of John Chilton and others, of Henry county, praying the passage of a law in relation to the traffic in ardent spirits.

7. Also, the petition of George W. Morris and others, of Henry county, on the same subject.

8. Also, the petition of W. B. Winslow and others, of Henry county, on the same subject.

9. Mr. S. M. Moore presented the petition of the Mayor and Council and others, of the city of Covington, praying an amendment to their charter.

10. Mr. Williams presented the petition of sundry citizens of Winchester, praying permission for the trustees to grant George Webster license to keep a Coffee-House.

11. Mr. Harman presented the petition of Samuel Vannoy, administrator of Sally Vannoy, deceased, praying permission to sell a tract of land.

12. Mr. Hagins presented the petition of citizens of Morgan county, praying that a street in West Liberty may be closed, and a new road made.

Which were received, the reading dispensed with, and referred—the 1st, to the committee on Federal Relations; the 2d, to the committee on Privileges and Elections; the 3d, 4th, 6th, 7th, and 8th, to the committee on Education; the 5th, to the committee on Propositions and Grievances; the 9th and 11th, to the committee on the Judiciary; the 10th, to the committee on Ways and Means; and the 12th to the committee on Internal Improvement.

On motion of Mr. Burnam—*Ordered*, That leave of absence for three days be granted to Mr. Jackson.

Mr. Davis moved a reconsideration of the vote laying on the table the bill from the Senate, entitled, an act allowing jurors pay for their services before justices of the peace.

And the question being taken thereon, it was decided in the affirmative.

*Ordered*, That said bill be made the special order of the day for 11 o'clock to-morrow.



The Speaker, in accordance with the resolution moved by Mr. Mitchell on Saturday last, appointed Messrs. Mitchell, Troutman, and Barnam, the committee in the 1st appellate district; Messrs. S. M. Moore, Boyd, and McKee, in the 2d district; Messrs. Bullitt, Bates, and Alfred, in the 3d; and Messrs. Trimble, McHenry, and Ford, in the 4th district.

Mr. Webster, from the committee to visit the Blind Institution, at Louisville, made the following report, viz:

The committee appointed to visit the Kentucky institution for the education of the blind, for the purpose of examining into the condition of the school, beg leave respectfully to report:

In obedience to the resolution of the legislature, your committee proceeded to Louisville, and called at the school for the blind. No preconcerted arrangements were made with the officers of the institution. The appearance of the committee in the school rooms was the first intimation to the officers of the visit. The committee found the superintendent and the teachers of the institution busily engaged with the pupils in the discharge of their duties, and heard the children in their recitations. It was with more than ordinary gratification that we found the children making large acquisitions of useful knowledge, under the beneficent endowments of the commonwealth. They read, write, and acquire arithmetic, music, geography, grammar, and history, with facility and accuracy; and it is doubtful whether any pupils in any school in the state could, in the same period that has been devoted to the education of these children, pass a more creditable examination. They were examined before the committee in matters upon which there had been no special preparation, and they answered all questions with great readiness and accuracy.

It was pleasing to witness these results of the enlightened benevolence of the commonwealth in removing the obstacles to the acquisition of education that misfortune had thrown across the path of these children. Instead of being doomed to hopeless ignorance, deplorable dependence, and to a reliance on county levies for a support in wretched pauperism, under the enlarged philanthropy of the state of Kentucky, these children are making respectable advances in education, and in training for useful occupations in society. A great deal of pains is taken in the education of these children, to inculcate upon them, in every possible way, the great value of self-reliance; and this is taught them in so many various ways, that it is astonishing to see the performances of these blind children, after they have been even for a short time under the training of their instructors. The services of the school, in the enlargement of the intellect of the blind children, with the limited resources in the hands of the teachers, are eminently creditable to all the parties concerned in the teaching department. The success has been so great, thus far, that the commonwealth should, from time to time, as necessities may arise, enlarge the usefulness of this school; for there is not an eleemosynary institution of Kentucky that is more creditable to it.

In addition to the intellectual progress of the pupils, the committee were gratified to see with what perfectness the blind children are taught various kinds of handicraft. The girls are taught a great many useful and ornamental kinds of net-work, bead-work, and various things of the

kind, and their work would compare favorably with any made by seeing children. They also make mattresses, and, in various ways, are taught to look to the labor of their own hands for a support. Those who may order mattresses from the city of Louisville, should direct their orders to this state institution. They can procure as good an article there as in any part of the city, on at least as favorable terms; and all orders of the kind materially assist in strengthening the resources of the work-shop of this state institution, and aid the children in acquiring useful trades.

Your committee would beg leave to suggest the propriety of enlarging the resources of the work-shop. The boys are mainly instructed in mattress and brush making, and these employments they perform remarkably well. But, with a little additional capital, various other kinds of handicraft may be taught; and it is important that these children of misfortune should be well prepared for making a livelihood. Palliasses of palm leaf, cushions of various kinds, spiral spring mattresses, the preparation of crash, diaper, and damask towels, satchels, traveling bags, entry mats of cocoa nut fibre, with colored worsted borders, heavy worm mats for public buildings, open work fibre mats, &c., are articles that will sell readily, and the art of making them may be easily taught in the institution, without any very great increase in the expenses of the shop. That department very nearly supports itself now, and, by adding to the variety of its fabrics, in the articles we have named, its usefulness to the blind children and to the community may be increased very considerably.

The affairs of the school are well managed. The superintendent possesses the confidence of the trustees, and discharges his arduous duties with zeal and fidelity. The various teachers of the school seem to be fully alive to the responsible trusts committed to their hands; and the trustees have been so peculiarly fortunate in getting proper teachers, that they have never found it necessary yet to dismiss any teacher from the school. All the funds devoted to the school are carefully supervised by the trustees, and no expenditures are made except by a vote of the board of trustees. The smallest sum, even, cannot be drawn from the treasury, except by an order of the board, indorsed by the president. And throughout the entire career of the school, it has been conducted on the most economical plan—so much so, that committees of this body, after personal investigation, have interposed, and urged upon the legislature appropriations beyond those asked by the trustees.

We again repeat the expression of our satisfaction with the management of the education of these blind children. The institution well deserved the patronage of the state heretofore bestowed on it, and its merits plead loudly for a continuance and an enlargement of this patronage.

On the night of the 29th September, during a long continued drought, the edifice of the institution for the blind was burned to the ground, and a portion of the school apparatus, of the musical instruments, and of the furniture was burned. But the operations of the school were scarcely interrupted. The board of trustees at once applied to the trustees of the university of Louisville for the use of the university building, and its use was liberally granted, on condition that the trustees of the blind school should insure the building. This was promptly done, and the

pupils were removed to the large and commodious edifice known as the university building. The building will do very well for temporary use; but the trustees should be empowered, as soon as possible, to construct another building for the blind. The trustees have reported to this body the reasons that induce them to desire more ground for the institution, and we cannot do better than to present the following extract from the report of the trustees for the blind, made to the present general assembly:

"Various liberal offers of land for the site of the institution have been made to the trustees; among which, an offer of Messrs. E. P. Pope and W. P. Boone, commends itself to our judgment as the most eligible one that has been proposed. These gentlemen liberally offer to donate to the institution eight acres of land, in West Louisville, a short distance from this city, and accessible by a good road, which will soon be improved. The site is on a high and beautiful ridge of land, in a healthy location, on the bank of the Ohio.

"In addition to this donation, these gentlemen propose to sell to the institution two acres for seven hundred and fifty dollars, and to donate two and a half acres for a railroad depot; and we hope to construct, at some future time, under the charter granted by the general assembly in the year 1844, a railroad from the city of Louisville to a point on the Ohio river contiguous to the proposed site of the institution. The construction of this road will, it is believed, aid materially in the support of the school."

Your committee personally inspected the locality mentioned in the report of the trustees, and examined other offers, and they are satisfied that the choice made by the trustees is much the best, as far as we are able to form a judgment. The land selected by the trustees must rapidly appreciate in value, and will ultimately be a very profitable investment for the state. The land originally purchased by the trustees is now worth a great deal more than it cost. The sale of this land, the insurance upon the building, and an appropriation of ten thousand dollars is asked by the board of trustees. But we think it would be well to purchase fifteen acres, instead of ten, and that an appropriation of fifteen thousand dollars should be made, in order to make the blind institution of Kentucky compare favorably with institutions of a similar character in other western states. Ohio, Tennessee, Missouri, Illinois, and Indiana have each an institution for the blind, and those states have made liberal appropriations for their education. Kentucky is not in the habit of being a laggard in any great, good, or useful work; and her blind school has given so many multiplied proofs of its great utility, that no one now looks upon it as an experiment, but all regard it as one of the principal of the philanthropic objects of an enlightened and religious civilization.

We also ask of the legislature a re-enactment of the law appropriating three thousand dollars per annum for the support of the blind school. That law will expire before another legislative meeting, and we recommend a renewal of it.

We commend to the attention of the legislature the necessity of an early grant of power to the trustees of the blind school to sell the land belonging to the institution for the blind, lying on the south side of Broadway, between first and second streets, in Louisville. And we fur-



ther recommend that full power shall be given to these trustees to invest the proceeds of the sale of that land, the insurance money on the building recently burned, and the appropriation made by the present legislature, in such land and buildings as may be deemed, by the trustees, most eligible for the uses of the school, provided such investment is made in the name of the commonwealth of Kentucky. If the building is to be commenced in the spring, arrangements should soon be made for making the brick.

Finally, we commend to the beneficence of the general assembly the Kentucky institution for the blind. It is altogether worthy of their care, and is in every way creditable to the enlightened philanthropy that originally called it into existence.

I. P. MILLER, *Chm'n Senate Com.*  
JOSEPH S. CONN,  
SHELBY STONE,  
W. C. WEBSTER, *Chm'n H. R. C.*  
DRURY TYE,  
B. MUSSELMAN,  
J. C. WILMORE,  
GREEN STERETT.

*Ordered*, That the Public Printer forthwith print 150 copies of said report, for the use of the members of the General Assembly.

Mr. Webster, from the committee appointed to visit the Blind Institution at Louisville, to whom was referred a bill for the benefit of the Kentucky Institution for the Education of the Blind, reported the same without amendment.

*Ordered*, That said bill be made the special order for Thursday next, and that the Public Printer forthwith print 150 copies of said bill, for the use of the members of the General Assembly.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act to amend an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850.

That they had passed bills from this House, of the following titles, viz :

An act to incorporate the town of Marion, in Crittenden county.

An act to amend the charter of the town of Clay villgae, in Shelby county.

An act to create an additional Election Precinct in each Ward in the city of Louisville.

An act for the benefit of the Trustees of the town of Burlington, in Boone county.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz :

An act for the benefit of Florence Academy, in Boone county.

An act concerning certain Public Books.

An act to amend an act, entitled, an act to enlarge the powers of the trustees of the town of Brandenburg, approved February 18, 1851.

An act to establish the Enterprise, Fanning, and Leather Manufacturing Company of the county of Lewis.

An act to incorporate the town of Sparta, in Owen county.

And had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Louisville and Covington Railroad Company. Approved December 6, 1851.

An act for the benefit of Mahlon Pruden, and others.

Approved December 9, 1851.

An engrossed bill, entitled, an act for the benefit of the town of Princeton, was read the third time.

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Bates—1. A bill regulating the time of holding Magistrates' courts in Barren county.

By the committee on Propositions and Grievances—2. A bill to change Magistrates' districts No. 1, in Crittenden county, and No. 1, in Madison county.

By same—3. A bill to change the line between Nicholas and Harrison.

By same—4. A bill to establish the county of Powell.

By the committee on Privileges and Elections—5. A bill establishing an additional Magistrates' and Constable's district in Hancock county.

By same—6. A bill changing the lines of Magistrates' and Constables' districts in Harrison county.

By the committee on the Judiciary—7. A bill to change the line of the Burlington and Taylor's Port election precinct in Boone county.

By same—8. A bill to charter Fleming Division, No. 259, Sons of Temperance.

By same—9. A bill for the benefit of the Louisville and Covington Railroad Company.

By same—10. A bill for the benefit of George F. Hickman.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th and 10th, were severally ordered to be engrossed and read a third

time; and the 4th was made the special order of the day for Friday, the 19th instant.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th, and 10th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Briggs, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act allowing appeals from orders of County Courts fixing ferry rates.

An act to amend an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Briggs inform the Senate thereof.

Mr. S. M. Moore, from the committee on the Judiciary, to whom was referred bills of the following titles, viz:

1. A bill to authorize the town of Paducah to subscribe stock in certain railroads.

2. A bill to authorize the County Court of McCracken to subscribe stock in certain railroads.

3. A bill to exempt the homestead and personal property from sale under execution, &c.

Reported the same without amendment.

*Ordered*, That the 1st and 2d bills be engrossed and read a third time; and the 3d was referred to the committee of the whole, and made the special order of the day for Wednesday next.

The rule of the House, constitutional provision, and third reading of the 1st and 2d bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The House then took up the preamble and resolution read and laid on the table by Mr. Winfrey on the 10th instant.

Mr. Wintersmith moved to amend said resolution, by striking out all after the word "Kentucky," and insert in lieu thereof the following:

That it is the opinion of the General Assembly that that part of the 24th section of the 2d article of the constitution which says "nor shall a session of the general assembly continue beyond sixty days," means sixty legislative days, and does *not* include Sundays.

Mr. Dodds moved to amend the amendment, by striking out the word "not."



Mr. N. Green moved to lay said resolution and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bates and Oglesby, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker (Robertson),	Francis Ford,	William C. McNary,
Joseph H. Barlow,	John F. Gaar,	Robert O. Morgan,
James P. Bates,	Thomas R. Givens,	Samuel M. Moore,
John S. Boyd,	Jacob S. Golladay,	Micajah Oglesby,
John Calvert,	Norvin Green,	Elijah G. Sebre,
Robert M. Carlisle,	Thomas R. Harman,	Isaac N. Shepperd,
Francis U. Dodds,	Samuel Hatfield,	James C. Sprigg,
Ellis Duncan,	Thomas Hagins,	Green Sterett,
James Edelin,	Alvin M. Hume,	Napoleon B. Stone,
Price Edrington,	Alfred M. Jones,	Lawrence S. Trimble,
David Elms,	John B. Laffoon,	Claiborne J. Walton—33.

Those who voted in the negative, were

Granville C. Alfred,	Charles J. Helm,	William F. Moore,
William Bailey,	John B. Holladay,	Birch Musselman,
Solomon Baker,	Benjamin F. Hume,	Thomas J. Nash,
Cleaton Bane,	James H. Hundley,	John J. Park,
Charles M. Briggs,	Henry S. Johnson,	Joel W. Sallee,
Joshua F. Bullitt,	John A. Keith,	Daniel B. Stivers,
Curtis F. Burnam,	Benjamin H. Kerrick,	John J. Thomas,
James L. Caldwell,	John J. Landrum,	Joshua H. Thomas,
Charles G. C. Canby,	Charles Lee,	William O. Thomson,
Hezekiah Cox,	Joseph H. Lewis,	Francis Troutman,
Edwin S. Craig,	Robert G. Lewis,	Drury Tye,
Jonathan Davis,	Opie J. Lindsay,	William C. Webster,
Elisha S. Fitch,	Strother D. Mitchell,	John S. Williams,
David Griggs,	Elijah S. Mitchusson,	Alex. H. Willingham,
Grant Green,	Andrew Monroe,	Francis H. Winfrey,
John J. Haley,	Barnett C. Moran,	Chas. G. Wintersmith—48.

The question was then taken on the adoption of the amendment of Mr. Dodds, to the amendment of Mr. Wintersmith, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wintersmith and Keith, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker (Robertson),	David Elms,	Benjamin H. Kerrick,
Solomon Baker,	Francis Ford,	John J. Landrum,
Joseph H. Barlow,	Jacob S. Golladay,	Birch Musselman,
James P. Bates,	Samuel Hatfield,	Isaac N. Shepperd,
John S. Boyd,	Charles J. Helm,	James C. Sprigg,
James L. Caldwell,	Alvin M. Hume,	Daniel B. Stivers,
Edwin S. Craig,	Henry S. Johnson,	William O. Thomson,
Francis U. Dodds,	Alfred M. Jones,	Francis H. Winfrey—26.
Price Edrington,	John A. Keith,	

## Those who voted in the negative, were

Granville C. Alfred,	Thomas R. Harman,	Thomas J. Nash,
William Bailey,	Thomas Hagins,	Micajah Oglesby,
Cleaton Bane,	John B. Holladay,	John J. Park,
Curtis F. Burnam,	Benjamin F. Hume,	Joel W. Sallee,
John Calvert,	James H. Hundley,	Elijah G. Sebree,
Charles G. C. Canby,	John B. Laffoon,	Green Sterett,
Robert M. Carlisle,	Charles Lee,	Napoleon B. Stone,
Hezekiah Cox,	Joseph H. Lewis,	John J. Thomas,
Jonathan Davis,	Robert G. Lewis,	Joshua H. Thomas,
Ellis Duncan,	Opie J. Lindsay,	Lawrence S. Trimble,
James Edelin,	William C. McNary,	Francis Troutman,
Elisha S. Fitch,	Strother D. Mitchell,	Drury Tye,
John F. Gaar,	Elijah S. Mitchusson,	Claiborne J. Walton,
Thomas R. Givens,	Barnett C. Moran,	William C. Webster,
David Griggs,	Robert O. Morgan,	John S. Williams,
Grant Green,	Samuel M. Moore,	Alex. H. Willingham,
Norvin Green,	William F. Moore,	Chas. G. Wintersmith—54.
John J. Haley,		

The question was then taken on the adoption of the amendment of Mr. Wintersmith, as a substitute for the resolution of Mr. Winfrey, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sprigg and Trimble, were as follows, viz :

## Those who voted in the affirmative, were

James P. Bates,	Norvin Green,	Samuel M. Moore,
Charles M. Briggs,	John J. Haley,	William F. Moore,
Joshua F. Bullitt,	Thomas R. Harman,	Thomas J. Nash,
Curtis F. Burnam,	Thomas Hagins,	Micajah Oglesby,
John Calvert,	Benjamin F. Hume,	Elijah G. Sebree,
Charles G. C. Canby,	John B. Laffoon,	Green Sterett,
Robert M. Carlisle,	Charles Lee,	John J. Thomas,
Hezekiah Cox,	Joseph H. Lewis,	Lawrence S. Trimble,
Ellis Duncan,	Robert G. Lewis,	Francis Troutman,
Elisha S. Fitch,	William C. McNary,	Drury Tye,
Thomas R. Givens,	Elijah S. Mitchusson,	Claiborne J. Walton,
William C. Grier,	Andrew Monroe,	William C. Webster,
David Griggs,	Barnett C. Moran,	Alex. H. Willingham,
Grant Green,	Robert O. Morgan,	Chas. G. Wintersmith—42.

## Those who voted in the negative, were

Mr. Speaker, (Robertson,)	John F. Gaar,	Strother D. Mitchell,
Granville C. Alfred,	Jacob S. Golladay,	Birch Musselman,
William Bailey,	Samuel Hatfield,	John J. Park,
Solomon Baker,	Charles J. Helm,	Joel W. Sallee,
Joseph H. Barlow,	John B. Holladay,	Isaac N. Shepperd,
John S. Boyd,	Alvin M. Hume,	James C. Sprigg,
James L. Caldwell,	Henry S. Johnson,	Daniel B. Stivers,
Edwin S. Craig,	Alfred M. Jones,	Napoleon B. Stone,
Jonathan Davis,	John A. Keith,	Joshua H. Thomas,

Francis U. Dodds,  
Price Edrington,  
David Elms,  
Francis Ford,

Benjamin H. Kerrick,  
John J. Landrum,  
Opie J. Lindsay,

William O. Thomson,  
John S. Williams,  
Francis H. Winfrey—37.

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Craig and Sprigg, were as follows, viz :

Those who voted in the affirmative, were

Joseph H. Barlow,  
James P. Bates,  
Charles M. Briggs,  
Curtis F. Burnam,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Ellis Duncan,  
Elisha S. Fitch,  
John F. Gaar,  
Thomas R. Givens,  
William C. Grier,  
David Griggs,  
Grant Green,

Norvin Green,  
John J. Haley,  
Thomas R. Harman,  
Thomas Hagins,  
Benjamin F. Hume,  
James H. Hundley,  
John B. Laffoon,  
John J. Landrum,  
Charles Lee,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
William C. McNary,  
Elijah S. Mitchusson,  
Barnett C. Moran,

Robert O. Morgan,  
Samuel M. Moore,  
William F. Moore,  
Thomas J. Nash,  
Micajah Oglesby,  
Elijah G. Sebree,  
Isaac N. Shepperd,  
Green Sterett,  
John J. Thomas,  
Lawrence S. Trimble,  
Drury Tye,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
Chas. G. Wintersmith—45.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)  
Granville C. Alfred,  
Solomon Baker,  
John S. Boyd,  
Joshua F. Bullitt,  
James L. Caldwell,  
Edwin S. Craig,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,  
Price Edrington,

David Elms,  
Francis Ford,  
Jacob S. Golladay,  
Samuel Hatfield,  
Charles J. Helm,  
John B. Holladay,  
Alvin M. Hume,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,

Strother D. Mitchell,  
Birch Musselman,  
John J. Park,  
James C. Sprigg,  
Daniel B. Stivers,  
Napoleon B. Stone,  
Joshua H. Thomas,  
William O. Thomson,  
Francis Troutman,  
John S. Williams,  
Francis H. Winfrey—33.

The question was then taken on the adoption of the preamble to said resolution, and it was decided in the negative.

And then the House adjourned.



TUESDAY, DECEMBER 16, 1851.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz :

An act to provide for an additional Magistrates' district, No. 9, in Caldwell county.

An act to create the office of Marshal of Litchfield, in Grayson county.

1. Mr. Elms presented the petition of sundry citizens of Morgan county, praying the passage of a law in relation to the traffic in ardent spirits.

2. Mr. Kerrick presented the petition of sundry citizens of Jefferson county, on the same subject.

3. Mr. Trimble presented the petition of sundry citizens of Paducah, praying an additional Magistrates' district in said town.

4. Mr. Triplett presented the petition of sundry citizens of Oldham county, praying the passage of a law in relation to the traffic in ardent spirits.

5. Mr. Anderson presented the petition of sundry citizens of Boyle county, on the same subject.

6. Also, the petition of the President and Directors of the Perryville and Danville Turnpike Road Company, praying an amendment to their charter.

7. Mr. Wintersmith presented the petition of the voters in the 6th election district in Hardin county, praying a change in the place of voting in said district.

Which were received, the reading dispensed with, and referred—the 1st, 2d, 4th, and 5th, to the committee on Education ; the 3d to Messrs. Trimble, Willingham, and Triplett ; the 6th to the committee on the Judiciary ; and the 7th to the committee on Privileges and Elections.

Mr. Wintersmith moved a reconsideration of the vote adopting the resolution on yesterday, as amended, proposed by Mr. Winfrey.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Wintersmith,

*Ordered*, That said resolution be laid on the table.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on the Judiciary—1. A bill for the benefit of the administrators of James C. Leech, former Sheriff of Livingston county.

By same—2. A bill to establish tobacco inspections in the city of Louisville.

By Mr. Trimble—3. A bill to establish a tobacco inspection at Paducah.

By the committee on the Judiciary—4. A bill to amend an act, entitled, an act for the benefit of the heirs of James and Matthew Wakefield.

By same—5. A bill to empower the city of Newport to convey lot No 3 in said city.

By same—6. A bill to amend the charter of the town of Danville.

By same—7. A bill for the benefit of William A. Withers.

By same—8. A bill to amend the charter of the Paris and Winchester Turnpike Road Company.

By same—9. A bill to amend an act, entitled, an act to authorize the several circuit courts to change the venue in penal and criminal prosecutions.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 3d, 4th, 5th, 6th, 7th, and 8th, were severally ordered to be engrossed and read a third time; and the 9th was referred to the committee on Revised Statutes.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. R. G. Lewis, from the committee on Religion, to whom was referred the petition of sundry citizens of the Methodist Episcopal Church in Muhlenburg county, praying permission to sell the parsonage in said county, and the petition of the trustees of the Methodist Episcopal Church in Greenville, praying permission to sell their church and purchase another, asked to be discharged from the further consideration of the same, which was granted.

The House took up the bill from the Senate, entitled, an act allowing jurors pay for their services before Justices of the Peace, and the amendment proposed thereto by Mr. Wintersmith.

*Ordered*, That said bill and amendment be made the special order of the day for to-morrow, at 11 o'clock, A. M.

Mr. Fitch, from the committee on Ways and Means, to whom was referred a bill for the benefit of the Sheriff of Graves county, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. McNary, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to amend the charter of the Shelby Railroad Company, reported the same with amendments.

And after some discussion had thereon, the House proceeded to the orders of the day.

Bills from the Senate, of the following titles, viz :

1. An act to re-establish a portion of the line between the counties of Hickman and Graves.
2. An act to change the time of holding the Perry county and quarterly courts.
3. An act dispensing with commissions to certain officers of this commonwealth.
4. An act to change the time of holding the Logan county quarterly county courts.
5. An act to authorize the Clerk of the County Court of Owen county to index record books A and B in his office.
6. An act to incorporate Liberty Lodge, No. 126, of Free and Accepted Masons.
7. An act authorizing the Marshal of the town of Hopkinsville to appoint a deputy.
8. An act for the benefit of William Davis, former Sheriff of Whitley county.
9. An act changing the time of holding the quarterly courts of the county of Henry.
10. An act to change the time of holding the Johnson quarterly and county courts.
11. An act to create the offices of Police Judge and Marshal in the town of Rumsey.
12. An act declaring the Elk Fork of Licking and Greasy creek navigable streams.
13. An act to incorporate the Louisville Farmers Tobacco Warehouse Company.
14. An act to change the time of holding the Circuit Courts for the counties of Daviess, Ohio, and Muhlenburg.
15. An act to regulate the times for holding the courts of Justices of the Peace.



16. An act in relation to the Springfield, Maxville, and Harrodsburg Turnpike Road Company.

17. An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

18. An act to incorporate the General Association of Baptists in Kentucky.

19. An act for the benefit of John Betts, jailer of Fulton county.

20. An act to amend an act, entitled, an act to incorporate and establish the town of Fairview, in Todd and Christian counties.

21. An act concerning the Court of Claims in Shelby county.

22. An act to amend the laws relating to Georgetown.

23. An act to punish persons for endangering life by placing obstructions on railroads.

24. An act amendatory of an act, entitled, an act authorizing circuit courts to change venue in penal and criminal prosecutions.

25. An act to amend an act to incorporate the Lexington and Danville Railroad Company.

26. An act to establish a sinking fund for the county of Bourbon, and to provide for the appointment of commissioners therefor.

27. An act allowing an additional Magistrates' and Constable's district in Morgan county.

28. An act to incorporate the Independent Fire Company, Washington, No. 1, of Maysville and suburbs.

29. An act for the benefit of B. G. Dudley.

30. An act for the benefit of common school districts in this commonwealth.

31. An act to establish the line between the counties of Knox and Clay.

32. An act for the benefit of the Sheriff of Union county.

33. An act to amend an act, entitled, an act to incorporate the Bank Lick Turnpike Road Company.

34. An act to change the time of electing Justices of the Peace and Constables.

35. An act to incorporate the town of Sparta, in Owen county.

36. An act to establish the Enterprise Tanning, and Leather Manufacturing Company of the county of Lewis.

37. An act to amend an act, entitled, an act to enlarge the powers of the trustees of the town of Brandenburg, approved February 18, 1851.

38. An act concerning certain public books.

39. An act for the benefit of Florence Academy, in Boone county.

40. An act to create the office of Marshal of Litchfield, in Grayson county.

41. An act to provide for an additional Magistrates' district, No. 9, in Caldwell county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st and 31st were referred to the committee on Propositions and Grievances; the 2d, 4th, 9th, 10th, 15th, 21st, 27th, 34th, and 41st, to the committee on County Courts; the 3d, 5th, 6th, 7th, 11th, 13th, 17th, 20th, 22d, 23d, 25th, 26th, 28th, 30th, 33d, 35th, 37th, 38th, 39th, and 40th, to the committee on the Judiciary; the 8th, 29th, and 32d, to the committee on Ways and Means; the 12th and 16th to the committee on Internal Improvement; the 14th to the committee on Circuit Courts; the 18th to the committee on Religion; the 19th to the committee on Claims; the 24th to the committee on Revised Statutes; and the 36th to the committee on Agriculture and Manufactures.

Mr. Winfrey moved a reconsideration of the vote of to day, laying on the table the resolution adopted on yesterday, in relation to the length of the session.

Mr. Bates moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. N. Green and Bates, were as follows, viz:

Those who voted in the affirmative, were

Joseph H. Barlow,	John E. Gaar,	Joseph H. Lewis,
James P. Bates,	Thomas R. Givens,	William C. McNary,
John S. Boyd,	Jacob S. Golladay,	Robert O. Morgan,
Isaac Burnett,	Norvin Green,	William F. Moore,
James L. Caldwell,	Samuel Hatfield,	Micajah Oglesby,
John Calvert,	Alvin Herndon,	Elijah G. Seabee,
Robert M. Carlisle,	Thomas Hagins,	Isaac N. Shepperd,
A. D. Cosby,	John G. James,	James C. Sprigg,
Edwin S. Craig,	Alfred M. Jones,	Thornton Triplett,
Jonathan Davis,	Benjamin H. Kerrick,	Drury Tye,
Francis U. Dodds,	John B. Laffoon,	Claiborne J. Walton,
David Elms,	John J. Landrum,	Alex. H. Willingham—37.
Francis Ford,		

Those who voted in the negative, were

Granville C. Alfred,	James H. Hundley,	Thomas J. Nash,
William C. Anderson,	Henry S. Johnson,	John J. Park,
William Bailey,	John A. Keith,	Joel W. Sallee,
Solomon Baker,	Charles Lee,	William T. Samuels,
Charles M. Briggs,	Robert G. Lewis,	Green Sterett,
Charles G. C. Canby,	Opie J. Lindsay,	Daniel B. Stivers,
James Edelin,	Henry D. McHenry,	John J. Thomas,
Christian Engleman,	William McMillan,	Joshua H. Thomas.

Elisha S. Fitch,  
David Griggs,  
Grant Green,  
Charles J. Helm,  
John B. Holladay,  
Alvin M. Hume,  
Benjamin F. Hume,

Strother D. Mitchell,  
Elijah S. Mitchusson,  
Andrew Monroe,  
Barnett C. Moran,  
Samuel M. Moore,  
Birch Musselman,

William O. Thomson,  
Francis Troutman,  
William C. Webster,  
John S. Williams,  
Francis H. Winfrey,  
Chas. G. Wintersmith—43.

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

Mr. Wintersmith moved a reconsideration of the vote adopting the amendment proposed by him as a substitute for the resolution of Mr. Winfrey.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Laffoon and G. Green, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,  
William C. Anderson,  
William Bailey,  
Solomon Baker,  
Cleaton Bane,  
Joseph H. Barlow,  
John S. Boyd,  
Charles M. Briggs,  
Isaac Burnett,  
James L. Caldwell,  
Charles G. C. Canby,  
Robert M. Carlisle,  
A. D. Cosby,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,  
Ellis Duncan,  
James Edelin,  
Elisha S. Fitch,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,  
Grant Green,

John J. Haley,  
Charles J. Helm,  
Alvin Herndon,  
John B. Holladay,  
Benjamin F. Hume,  
James H. Hundley,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John B. Laffoon,  
John J. Landrum,  
Charles Lee,  
Robert G. Lewis,  
Opie J. Lindsay,  
Henry D. McHenry,  
William McMillan,  
William C. McNary,  
Strother D. Mitchell,  
Elijah S. Mitchusson,  
Andrew Monroe,  
Barnett C. Moran,  
Robert O. Morgan,

Samuel M. Moore,  
Birch Musselman,  
Thomas J. Nash,  
Micajah Oglesby,  
John J. Park,  
William T. Samuels,  
Elijah G. Seabee,  
Isaac N. Shepperd,  
James C. Sprigg,  
Green Sterett,  
Daniel B. Stivers,  
John J. Thomas,  
Joshua H. Thomas,  
William O. Thomson,  
Lawrence S. Trimble,  
Thornton Triplett,  
Francis Troutman,  
Drury Tye,  
William C. Webster,  
John S. Williams,  
Alex. H. Willingham,  
Francis H. Winfrey,  
Chas. G. Wintersmith—71.

Those who voted in the negative, were

James P. Bates,  
John Calvert,  
David Elms,  
Christian Engleman,

John F. Gaar,  
Norvin Green,  
Samuel Hatfield,  
Thomas Hagins,

Joseph H. Lewis,  
William F. Moore,  
Claiborne J. Walton—11.

Mr. Wintersmith withdrew his amendment.

Mr. Golladay moved to amend said resolution, by inserting after the word "Kentucky" the following, viz :



That this legislature adjourn on the 20th instant, to meet again on the 1st of February next.

Mr. Trimble moved the following as a substitute for the amendment of Mr. Golladay, viz :

That when this house adjourns on the 24th instant, it will meet again on the 26th instant.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Walton and Bates, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John F. Gaar,	Samuel M. Moore,
Joseph H. Barlow,	Thomas R. Givens,	William F. Moore,
James P. Bates,	Jacob S. Golladay,	Micajah Oglesby,
Charles M. Briggs,	Norvin Green,	Elijah G. Seabee,
Curtis F. Burnam,	Samuel Hatfield,	Isaac N. Shepperd,
Isaac Burnett,	Alvin Herndon,	James C. Sprigg,
John Calvert,	Thomas Hagins,	Green Sterett,
Charles G. C. Canby,	Alvin M. Hume,	Daniel B. Stivers,
Robert M. Carlisle,	John G. James,	John J. Thomas,
A. D. Cosby,	Alfred M. Jones,	Joshua H. Thomas,
Hezekiah Cox,	John B. Laffoon,	Lawrence S. Trimble,
Jonathan Davis,	Joseph H. Lewis,	Thornton Triplett,
Francis U. Dodds,	William McMillan,	Claiborne J. Walton,
Ellis Duncan,	William C. McNary,	William C. Webster,
David Elms,	Robert O. Morgan,	Alex. H. Willingham—46.
Francis Ford,		

Those who voted in the negative, were

Granville C. Alfred,	John B. Holladay,	Barnett C. Moran,
William C. Anderson,	Benjamin F. Hume,	Birch Musselman,
William Bailey,	James H. Hundley,	Thomas J. Nash,
Solomon Baker,	Henry S. Johnson,	John J. Park,
Cleaton Bane,	John A. Keith,	Joel W. Sallee,
John S. Boyd,	Benjamin H. Kerrick,	William T. Samuels,
Joshua F. Bullitt,	John J. Landrum,	Napoleon B. Stone,
James L. Caldwell,	Charles Lee,	William O. Thomson,
James Edelin,	Robert G. Lewis,	Francis Troutman,
Christian Engleman,	Opie J. Lindsay,	Drury Tye,
Elisha S. Fitch,	Henry D. McHenry,	John S. Williams,
David Griggs,	Strother D. Mitchell,	Francis H. Winfrey,
Grant Green,	Elijah S. Mitchusson,	Chas. G. Wintersmith—41.
Charles J. Helm,	Andrew Monroe,	

Mr. Stone moved to lay said resolution and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Stone and Sprigg, were as follows, viz :

## Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Benjamin F. Hume,	Thomas J. Nash,
William C. Anderson,	James H. Hundley,	William T. Samuels,
William Bailey,	Henry S. Johnson,	Isaac N. Shepperd,
Solomon Baker,	John A. Keith,	James C. Sprigg,
John S. Boyd,	Charles Lee,	Green Sterett,
James L. Caldwell,	Robert G. Lewis,	Napoleon B. Stone,
Robert M. Carlisle,	Opie J. Lindsay,	Joshua H. Thomas,
A. D. Cosby,	Henry D. McHenry,	William O. Thomson,
James Edelin,	William C. McNary,	Thornton Triplett,
Christian Engleman,	Strother D. Mitchell,	Drury Tye,
Francis Ford,	Elijah S. Mitchusson,	Alex. H. Willingham,
David Griggs,	Andrew Monroe,	Francis H. Winfrey,
John B. Holladay,	Birch Musselman,	Chas. G. Wintersmith—39.

## Those who voted in the negative, were

Granville C. Alfred,	Jacob S. Golladay,	Joseph H. Lewis,
Joseph H. Barlow,	William C. Grier,	William McMillan,
James P. Bates,	Grant Green,	Barnett C. Moran,
Charles M. Briggs,	Norvin Green,	Robert O. Morgan,
Curtis F. Burnam,	John J. Haley,	Samuel M. Moore,
Isaac Burnett,	Samuel Hatfield,	William F. Moore,
John Calvert,	Charles J. Helm,	Micajah Oglesby,
Charles G. C. Canby,	Alvin Herndon,	Joel W. Sallee,
Hezekiah Cox,	Thomas Hagias,	Elijah G. Seabee,
Jonathan Davis,	Alvin M. Hume,	Daniel B. Stivers,
Francis U. Dodds,	John G. James,	John J. Thomas,
Ellis Duncan,	Alfred M. Jones,	Lawrence S. Trimble,
David Elms,	Benjamin H. Kerrick,	Francis Troutman,
Elisha S. Fitch,	John B. Laffoon,	Claiborne J. Walton,
John F. Gaar,	John J. Landrum,	William C. Webster—46.
Thomas R. Givens,		

Mr. Bates moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The main question was then put—"shall the resolution, as amended, be adopted?" and it was decided in the affirmative.

The question was then taken on the adoption of the preamble, and it was decided in the negative.

Mr. Wintersmith read and laid on the table the following resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky, That it is the duty of the present legislature fully and deliberately to enact a general system of laws for the government of the people of Kentucky, as required by the constitution of the state, founded upon the reports of the commissioners appointed to revise the statutes, and the commissioners appointed to prepare a code of practice in the courts, and that this session should be extended long enough to effect the purpose; and that the session of this general assembly be extended to the 15th day of January, 1852, and that when it adjourns on that day it shall adjourn sine die.*

And then the House adjourned.

WEDNESDAY, DECEMBER 17, 1851.

The Speaker laid before the House a report of the Superintendent of Public Instruction, which is as follows, viz :

OFFICE OF SUPERINTENDENT  
OF PUBLIC INSTRUCTION,

LEXINGTON, December 16, 1851.

GEORGE ROBERTSON, ESQ.,

*Speaker of the House of Representatives:*

SIR: I have the honor to transmit, herewith, my report—exclusive of the appendix—upon the subject of general education and common schools, as required by law.

Very respectfully,

RO. J. BRECKINRIDGE,

*Sup't Public Instruction.*

[For Report—see *Legislative Documents.*]

*Ordered*, That the Public Printer forthwith print 10,000 copies of said report for the use of the members of this House.

1. Mr. Anderson presented the petition of P. D. J. Williamson, praying that his election as Marshal of the town of Lancaster may be legalized.

2. Mr. J. J. Thomas presented the petition of sundry citizens of the town of Hopkinsville, praying an amendment of the act extending the limits of said town.

3. Mr. Wilmore presented the petition of sundry citizens of Jessamine county, praying the removal of a toll gate.

4. Mr. Lindsay presented the petition of Adam R. Walker, and others, of Grant county, in relation to the compensation to school district No. 4, in said county.

5. Mr. Hundley presented the petition of sundry citizens of Perry county, praying to be added to the county of Owsley.

6. Mr. Cox presented the petition of J. B. Tandy, praying a reduction of the limits of the town of Ghent.

7. Mr. B. F. Hume presented the petition of sundry citizens of Pendleton county, praying an alteration in the boundary of the 2d and 6th districts in said county.

8. Also, the petition of sundry citizens of district No. 3, in Pendleton county, praying an alteration in the boundary of the same.

9. Mr. Bates presented the petition of sundry citizens of Barren county, praying a change in the law as to the manner of taking depositions.



Which were received, the reading dispensed with, and referred—the 1st, 2d, and 3d, to the committee on the Judiciary; the 4th to the committee on Education; the 5th and 6th to the committee on Propositions and Grievances; the 7th and 8th to the committee on County Courts; and the 9th to the committee on Revised Statutes.

Mr. Monroe moved the following resolution, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky, That Rev. Dr. R. J. Breckinridge be requested to deliver an address before this body upon the common school system, and education generally, at such time during the present session as may suit his convenience.*

Which was adopted.

Mr. McNary, from the committee on Internal Improvement, to whom was referred a bill to charter the Hamilton and Union Turnpike Road Company, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House took up for consideration the bill from the Senate, entitled, an act to amend the charter of the Shelby Railroad Company, and the amendments proposed thereto by the committee on Internal Improvement.

Mr. Sprigg moved an amendment to the last amendment proposed by said committee.

And the question being taken on adopting the same, it was decided in the negative.

The said amendments were then concurred in.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnam, from the committee on Education, to whom was referred the petition of sundry citizens of Boone and Henry counties, praying the passage of a law in relation to the traffic in ardent spirits, asked to be discharged from the further consideration of the same, which was granted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By Mr. Cox—1. A bill to repeal an act, entitled, an act to extend the limits of the town of Ghent.

By the committee on Education—2. A bill for the benefit of school district No. 20, in Crittenden county.

By same—3. A bill for the benefit of Kirkville district school, in Madison county.

By same—4. A bill to establish a school district in Hancock county.

By same—5. A bill to amend an act establishing Morgantown Seminary, in Butler county.

By same—6. A bill for the benefit of school districts Nos. 5 and 8, in Muhlenburg county.

By same—7. A bill to incorporate Albion Female Collegiate Institute.

By same—8. A bill for the benefit of school districts Nos. 19, 23, and 24, in Larue county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was referred to the committee on Propositions and Grievances; and the 2d, 3d, 4th, 5th, 6th, 7th, and 8th, were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 2d, 3d, 4th, 5th, 6th, 7th, and 8th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to prevent certain officers from speculating in claims on the county treasuries.

An act to authorize Justices of the Peace to hold inquests in certain cases.

An act for the benefit of George Emmick.

An act to extend the mechanics' lien law to certain counties.

An act permitting the sale of real estate at the door of the city hall in the city of Covington.

An act to incorporate Simpson Lodge, No. 189, of Free and Accepted Masons.

With an amendment to the last named bill.

And had received official information from the Governor that he had, on the 15th instant, approved and signed an enrolled bill which originated in the Senate, entitled,

An act allowing appeals from orders of County Courts fixing ferry rates.

Mr. Burnam, from the committee on Education, to whom was referred a bill for the benefit of certain school districts in Washington county, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnam, from the same committee, to whom was referred the petition of sundry citizens of McCracken county, praying that the Seminary funds of said county may be loaned out at ten per cent. interest, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said petition be referred to the committee on Ways and Means.

Mr. Trimble moved a reconsideration of the vote passing a bill from the Senate, entitled, an act to amend the charter of the Shelby Railroad Company.

And the question being taken thereon, it was decided in the affirmative.

*Ordered*, That said bill be referred to the committee on Internal Improvement.

The House took up for consideration the bill from the Senate, entitled, an act allowing jurors pay for their services before Justices of the Peace, and the amendment proposed to said bill as a substitute.

Mr. Wintersmith then withdrew his amendment.

The said bill was then amended in the 4th section, by inserting after the word "before" the words "Police Judges, Mayors of cities, and."

Mr. Anderson moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The main question was then put—"shall said bill, as amended, be read a third time?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McHenry and W. F. Moore, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,	Grant Green,	Robert O. Morgan,
Cleaton Bane,	Thomas R. Harman,	William F. Moore,
Joseph H. Barlow,	Samuel Hatfield,	Micajah Oglesby,
James P. Bates,	Charles J. Helm,	John J. Park,
John S. Boyd,	Alvin Herndon,	Joel W. Sallee,
Charles M. Briggs,	Benjamin F. Hume,	Isaac N. Shepperd,
Charles G. C. Canby,	Alfred M. Jones,	Green Sterett,



Hezekiah Cox,	Benjamin H. Kerrick,	Daniel B. Stivers,
Jonathan Davis,	John B. Laffoon,	Joshua H. Thomas,
Francis U. Dodds,	John J. Landrum,	Lawrence S. Trimble,
James Edelin,	Charles Lee,	Thornton Triplett,
David Elms,	Joseph H. Lewis,	Drury Tye,
Francis Ford,	Henry D. McHenry,	William C. Webster,
Jacob S. Golladay,	William C. McNary,	John S. Williams,
William C. Grier,	Elijah S. Mitchusson,	Alex. H. Willingham—47.
David Griggs,	Andrew Monroe,	

Those who voted in the negative, were

Granville C. Alfred,	John F. Gaar,	Barnett C. Moran,
William C. Anderson,	Thomas R. Givens,	Samuel M. Moore,
Solomon Baker,	John J. Haley,	Birch Musselman,
A. H. Bryan,	Thomas Hagins,	Thomas J. Nash,
Joshua F. Bullitt,	John B. Holladay,	William T. Samuels,
Curtis F. Burnam,	Alvin M. Hume,	Elijah G. Seabee,
Isaac Burnett,	John G. James,	James C. Sprigg,
James L. Caldwell,	Henry S. Johnson,	John J. Thomas,
John Calvert,	John A. Keith,	William O. Thomson,
Robert M. Carlisle,	Robert G. Lewis,	Francis Troutman,
A. D. Cosby,	Opie J. Lindsay,	Claiborne J. Walton,
Edwin S. Craig,	George R. McKee,	James C. Wilmore,
Ellis Duncan,	William McMillan,	Francis H. Winfrey,
Price Edrington,	Strother D. Mitchell,	Chas. G. Wintersmith—43.
Christian Engleman,		

Mr. Briggs moved the following resolution, viz :

*Resolved*, That the committee on the Penitentiary be requested forthwith to visit the Penitentiary and examine into the condition of the convicts ; whether they have clothing to protect them from the inclemency of the weather, and whether they are accommodated with good and sufficient bed clothing, and report to this house.

Which was adopted.

The House again resolved itself into a committee of the whole, on the bill to amend the law regulating proceedings in criminal cases, Mr. Bullitt in the chair ; and after some time spent therein, the Speaker resumed the chair, when Mr. Bullitt reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the house without amendment, which he handed in at the clerk's table.

The said bill reads as follows, viz :

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in the trial of indictments for felony, hereafter found by a grand jury in any of the courts of this commonwealth, the attorney prosecuting for the commonwealth may challenge, peremptorily, as many as five persons without assigning cause therefor.

Mr. Webster moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The main question was then put—"shall the bill be engrossed and read a third time?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sprigg and Burnett, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Jacob S. Golladay,	Strother D. Mitchell,
William C. Anderson,	David Griggs,	Andrew Monroe,
William Bailey,	John J. Haley,	Barnett C. Moran,
Cleaton Bane,	Thomas R. Harman,	Robert O. Morgan,
Joseph H. Barlow,	Samuel Hatfield,	Samuel M. Moore,
James P. Bates,	Alvin Herndon,	William F. Moore,
John S. Boyd,	Thomas Hagins,	Birch Musselman,
Charles M. Briggs,	John B. Holladay,	Thomas J. Nash,
Joshua F. Bullitt,	Alvin M. Hume,	Micajah Oglesby,
Isaac Burnett,	Benjamin F. Hume,	John J. Park,
James L. Caldwell,	James H. Hundley,	William T. Samuels,
John Calvert,	John G. James,	Elijah G. Seebree,
Charles G. C. Canby,	Alfred M. Jones,	Green Sterett,
Robert M. Carlisle,	Benjamin H. Kerrick,	Joshua H. Thomas,
Hezekiah Cox,	John J. Landrum,	William O. Thomson,
Jonathan Davis,	Charles Lee,	Francis Troutman,
Francis U. Dodds,	Joseph H. Lewis,	Drury Tye,
Ellis Duncan,	Robert G. Lewis,	Claiborne J. Walton,
James Edelin,	Opie J. Lindsay,	William C. Webster,
Price Edrington,	George R. McKee,	John S. Williams,
Christian Engleman,	William McMillan,	James C. Wilmore,
Thomas R. Givens,	William C. McNary,	Chas. G. Wintersmith—66.

Those who voted in the negative, were

Granville C. Alfred,	Charles J. Helm,	James C. Sprigg,
Solomon Baker,	Henry S. Johnson,	Daniel B. Stivers,
Curtis F. Burnam,	John A. Keith,	John J. Thomas,
Edwin S. Craig,	John B. Laffoon,	Lawrence S. Trimble,
David Elms,	Henry D. McHeary,	Thornton Triplett,
Francis Ford,	Elijah S. Mitchusson,	Alex. H. Willingham,
John F. Gaar,	Isaac N. Shepperd,	Francis H. Winfrey—22.
Grant Green,		

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

THURSDAY, DECEMBER 18, 1851.

1. Mr. Trimble presented the petition of the citizens of Milburn, in Ballard county, praying the passage of a law to create the office of Police Judge and Marshal in said town.

2. Mr. Winfrey presented the petition of James Sausley, in relation to the inspection of tobacco.

3. Mr. Walton presented the petition of sundry citizens of Hart county, praying a change in the place of voting in a precinct in said county.

4. Mr. Boyd presented the petition of the County Court of Harrison county, praying permission to borrow a sum of money to re-build the court house in said county.

5. Mr. Monroe presented the petition of Thos. S. Theobalds, praying that the amount decreed to him by the court may be paid to him.

6. Mr. Helm presented the petition of sundry citizens of Newport, praying an incorporation of a Fuel Company.

Which were received, the reading dispensed with, and referred—the 1st to the committee on County Courts; the 2d to the committee on Agriculture and Manufactures; the 3d to the committee on Privileges and Elections; the 4th and 6th to the committee on the Judiciary; and the 5th to the committee on Claims.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act to increase the jurisdiction of Justices of the Peace.

Mr. McKee, from the committee on the Judiciary, to whom were referred bills of the following titles, viz :

A bill to authorize the town of Columbus to take and hold stock in the Ohio and Mobile Railroad Company.

A bill to authorize the county of Hickman to take and hold stock in the Ohio and Mobile Railroad Company.

Reported the same without amendment.

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Helm, leave was given to bring in a bill to amend the charter of the Newport Safety Fund Bank of Kentucky.



*Ordered*, That the committee on Banks prepare and bring in the same.

Mr. J. H. Lewis, from the committee on the Judiciary, to whom was referred a bill to incorporate the Nashville and Cincinnati Railroad Company, reported the same with amendments, which were concurred in.

*Ordered*, That said bill be read a third time to-morrow, at 11 o'clock, A. M.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By Mr. Burnam—1. A bill to amend an act incorporating the Richmond Cemetery Company.

By the committee on the Judiciary—2. A bill to amend an act, entitled, an act incorporating the Crab Orchard and Crew's Knob Turnpike Road Company.

By same—3. A bill to allow an additional term to the Harrison Circuit Court.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Burnam, from the committee on Education, to whom was referred so much of the Governor's message as relates to the Institution for the Education of the Blind, and the resolution on the subject of common schools, asked to be discharged from the further consideration of the same, which was granted.

Mr. Burnam, from the same committee, to whom was referred the petition of sundry citizens of Oldham county, praying the passage of a law in relation to the traffic in ardent spirits; the petition of sundry citizens of Butler county, on the same subject; the petition of sundry citizens of Jefferson county, on the same subject; the petition of sundry citizens of Boyle county, on the same subject; and the petition of sundry citizens of Green and Adair counties, on the same subject, asked to be discharged from the further consideration of the same, which was granted.

Mr. B. F. Hume, from the committee on the Penitentiary, made the following report, viz :

The committee on the Penitentiary, to whom was referred the resolution "that they be requested forthwith to visit the Penitentiary, and examine into the condition of the convicts, whether they have clothing to

protect them from the inclemency of the weather, and whether they are accommodated with good and sufficient bed clothing," report: That they visited the Penitentiary on yesterday evening, and examined the condition of the cells, and found that there was a sufficiency of bed clothing on the beds in them. They conversed with some of the convicts, and inquired of them whether they had enough of garments and bedding to protect them from the rigor of the weather, and their answers were, that there was a sufficiency of both, and they were entirely comfortable.

B. F. HUME,  
E. DUNCAN,  
THO. R. GIVENS,  
J. C. WILMORE.

Mr. J. J. Thomas, from the committee on Agriculture and Manufactures, to whom was referred a bill from the Senate, entitled, an act to establish the Enterprise Tanning and Leather Manufacturing Company of the county of Lewis, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bullitt, from the committee on the Sinking Fund, reported a bill to authorize the granting of licenses for billiard tables, and Jenny Lind tables, which was read the first time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for any citizen of this commonwealth to keep billiard tables or Jenny Lind tables upon procuring a license and complying with the other provisions of this act.

§ 2. The corporate authorities of any city, and the trustees of any town, may grant a license to any citizen of this state of good character to keep billiard tables or Jenny Lind tables within such city or town; and the justices of the county court of any county may grant licenses in like manner for any such table to be kept in such county and beyond the limits of any city or town.

§ 3. The tax on such licenses shall be as follows for each table: In a city, if its population amounts to 5,000 souls, \$100; if under that number, \$50. In a county, beyond the limits of any city, or in a town, if the population of the county, excluding all cities and towns therein, amounts to 10,000 souls, \$100; if under that number, \$50.

§ 4. Such license shall not be assignable, nor used by any other than the person named therein, nor granted for a longer period than one year; nor shall such license be granted until the applicant shall deposit with the clerk of the county court of the county wherein such table is to be kept, a bond, with good surety, in the penalty of \$500, conditioned that no gaming and no riotous nor disorderly conduct shall be allowed in the building containing such table; for a violation whereof the principal and surety, or either of them, may be proceeded against by suit or indictment, and for each violation the amount of the aforesaid pen-

alty recovered for the benefit of the commonwealth. Where the applicant wishes to apply for license to the authorities of any city or town, said clerk shall, when said bond is executed, certify the fact, which shall be received as evidence thereof; for every such certificate the clerk shall be entitled to fifty cents, to be paid by the applicant.

§ 6. The license shall not take effect until the tax herein prescribed shall be paid by the applicant to the clerk of the county court of the county wherein such table is to be kept, and the fact of such payment certified by said clerk on the back of such license; for every such certificate the clerk shall be entitled to fifty cents, to be paid by the applicant.

§ 7. The clerks aforesaid shall, by the first day of September in each year, report to the auditor of public accounts an abstract of all the licenses granted during such year by the authority of this act, stating the amount of tax received by him therefor. The amount so received shall be accounted for as other revenue, and shall be placed to the credit of common schools.

§ 8. The authorities of any city or town, before granting any license under this act, may charge such additional tax, for the benefit of such city or town as they may deem proper, not exceeding double the amount authorized to be charged for such city or town under the third section hereof.

*Ordered*, That said bill be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Bates and Sallee, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Grant Green,	Henry D. McHenry,
Granville C. Alfred,	Norvin Green,	George R. McKee,
John S. Boyd,	John J. Haley,	Elijah S. Mitchusson,
Charles M. Briggs,	John B. Holladay,	Barnett C. Moran,
A. H. Bryan,	Alvin M. Hume,	William F. Moore,
Joshua F. Bullitt,	Benjamin F. Hume,	Birch Musselman,
Curtis F. Burnam,	John G. James,	William T. Samuels,
Isaac Burnett,	John A. Keith,	Daniel B. Stivers,
Edwin S. Craig,	Benjamin H. Kerrick,	Joshua H. Thomas,
Price Edrington,	John B. Laffoon,	Lawrence S. Trimble,
Thomas R. Givens,	Joseph H. Lewis,	Drury Tye,
David Griggs,	Opie J. Lindsay,	Francis H. Winfrey—36.

Those who voted in the negative, were

William C. Anderson,	Jacob S. Golladay,	Robert O. Morgan,
William Bailey,	William C. Grier,	Samuel M. Moore,
Cleaton Bane,	Thomas R. Harman,	Thomas J. Nash,
Joseph H. Barlow,	Samuel Hatfield,	Micajah Oglesby,
James P. Bates,	Charles J. Helm,	Joel W. Sallee,



James L. Caldwell,	Alvin Herndon,	Elijah G. Seabee,
Charles G. C. Canby,	Thomas Hagins,	Isaac N. Shepperd,
Robert M. Carlisle,	James H. Hundley,	Green Sterett,
A. D. Cosby,	William G. Jackson,	Napoleon B. Stone,
Hezekiah Cox,	Henry S. Johnson,	Thornton Triplett,
Jonathan Davis,	Alfred M. Jones,	Francis Troutman,
Francis U. Dodds,	Charles Lee,	Claiborne J. Walton,
James Edelin,	William McMillan,	William C. Webster,
David Elms,	William C. McNary,	John S. Williams,
Christian Engleman,	Strother D. Mitchell,	Alex. H. Willingham,
Francis Ford,	Andrew Monroe,	James C. Wilmore—49.
John F. Gaar,		

Mr. Mitchell, from the committee on Congressional Apportionment, made the following report, viz :

The committee on Congressional Apportionment, in response to a resolution requiring them to report to this house what official data they have before them to lay off said districts, state that the constitution of the United States requires congress to apportion the representation in the house of representatives of the United States among the several states once in every ten years. Under this constitutional rule the year 1851 is the one in which the apportionment has to be made.

By an act of congress, approved May 23d, 1850, congress provided for the taking of the census of the United States and for the apportionment of representation in the house of representatives of the United States without fixing the number of representatives to which each state was entitled. They fix the whole number of representatives, and direct that after the census has been returned by the marshals of the several states to his office, it shall be the duty of the secretary of the interior to divide the aggregate representative population by two hundred and thirty-three—the given number of members—and make the result the apportionment. When the apportionment is thus fixed, it is the duty of the secretary of the interior forthwith to transmit to the executive of each state a certificate of the number of members to which each state is entitled. We understand from the executive that no such official information has been received. The cause of this delay we find in the late annual message of the president of the United States. It is there announced that the census of California had not been received at the department of the interior ; and until it was received the secretary of that office could not, officially, announce to the executives of the states the number of representatives to which each state was entitled. Yet there has been published in the newspapers and journals of the country the number of representatives to which each state is entitled—Kentucky being allowed ten—and there is no doubt of this being the true number of her members under the late apportionment. Beyond the constitution itself, and a knowledge of the number of members to which our state is entitled, no official data are necessary to lay off the congressional districts. But as to whether any thing short of official information as to the number of representatives allowed Kentucky will suffice for the action of the legislature in districting the state, is a question upon which the committee themselves are divided—there being six for the affirmative, and four for

the negative—and therefore they submit it by resolution to the consideration of the house for its decision.

The marshals of the several states are required, and have returned to the office of the secretary of their respective states, one copy of the census of such states. This enables the committee to act on the basis of the late census—a thing, perhaps, for the sake of exact equality—very desirable, but most certainly not imperative. As to the time and manner of districting the states, as well as the basis on which it shall be done, it is a matter of expediency, alone left to the states themselves. Indeed, the committee know of no authority that obligates this legislature to district the state at all. Even when congress have directed the states to be laid off into districts, it has been disregarded. Congress apportions the representation, and leaves the states to determine how that representation shall be selected. But it is a recognized custom, acted upon since the adoption of the federal constitution, having morally the force and obligation of law, to district the state every ten years. Hence, as a matter of justice, expediency, and sound policy, the committee agree with the executive of the state in his late annual message that it is the duty of the present session to district the state.

The committee hope that it will not be thought officious in them to have extended this report to the incidental questions arising out of the queries of the resolution, as well as to the points directly in issue, believing as they do that it was better to review the whole subject.

All of which is respectfully submitted.

ALEX. H. WILLINGHAM,  
STROTHER D. MITCHELL,  
ANDREW MONROE,  
ROBERT M. CARLISLE,  
FRANCIS H. WINFREY,  
ELIJAH G. SEBREE,  
THORNTON TRIPLETT,  
DANIEL B. STIVERS,  
JOSHUA H. THOMAS,  
THOMAS J. NASH.

Mr. Mitchell, from the same committee, moved the following resolution, viz:

*Resolved*, That this house has all the information necessary to divide this state into congressional districts.

Which was adopted.

The bill to remove the seat of justice in the county of Washington, was read the second time.

*Ordered*, That said bill be referred to the committee on Propositions and Grievances.

Mr. Samuels moved the following resolution, viz:

*Resolved*, That the Messrs. Bakers be invited to sing a national air, or airs in this hall, immediately after its adjournment on this day.

And then the House adjourned.

FRIDAY, DECEMBER 19, 1851.

1. Mr. Burnam presented the petition of Egbert T. Fish, of Rockcastle county, praying he may be permitted to make out and collect fee bills against the estate of James Terrill, deceased, late clerk, for services rendered.

2. Mr. J. J. Thomas presented the petition of citizens of Christian county, praying the passage of an act in relation to the traffic in spirituous liquors.

3. Mr. Givens presented the petition of citizens of Union county, praying the passage of an act repealing an act to incorporate the Beaver Dam Pond Draining Company, of Union county.

4. Mr. Givens presented the remonstrance of citizens of Union county, remonstrating against the repeal of the charter of the Beaver Dam Pond Draining Company.

5. Mr. Sprigg presented the petition of citizens of Shelby county, praying that all Latin, Norman French phrases may be expunged from the statutes of this state.

Which were received, the reading dispensed with, and referred—the 1st, 3d, 4th, and 5th, to the committee on the Judiciary; and the 2d to the committee on Propositions and Grievances.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to take the sense of the people of Owsley county, for the purpose of changing the county seat of said county.

An act changing the lines of districts in Lewis and Madison counties.

An act to change the line between the Tolesburg precinct and James McCormick's precinct, in Lewis county.

An act authorizing the Presiding Judge of Kenton county to hold quarterly terms in Covington.

An act to authorize the Clarke County Court to subscribe stock in works of internal improvement in said county.

An act for the benefit of Samuel Spencer.

An act authorizing the County Court of Wayne to sell the old jail and stray pen lots in Monticello.

An act allowing an additional Magistrates' and Constable's district in Pulaski county.

An act for the benefit of the town of Dycusburg, in Crittenden county.



An act authorizing the County Judge of Oldham to alter Lagrange district.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz :

An act to amend an act, entitled, an act to provide for the sale of Island No. 4, in the Mississippi, approved February 29, 1848.

An act to authorize the appointment of persons to serve process in the justices' courts of the city of Louisville.

An act for the benefit of Jarvis Jackson, of Laurel county.

An act for the benefit of the administrator of Dixon Givens, deceased.

An act to incorporate the Phoenix Insurance Company, at Lexington.

An act to incorporate the Union Agricultural and Mechanical Association.

An act to incorporate the town of Sharpsburg.

An act for the benefit of John Crume.

An act for the benefit of the children of Alexander Hammond, deceased.

An act further to regulate the town of Mount Gilead, in Pulaski county.

An act to amend the charter of the city of Augusta.

An act to amend an act, entitled, an act to establish the town of Brooklyn, in Campbell county, approved February 27, 1849.

An act to enlarge Magistrates' and Constable's district, No. 2, in Hopkins county.

An act to change the boundaries of certain election precincts in Trigg county, and for other purposes.

An act for the benefit of Milton Johnson, and others.

An act for the benefit of George S. Gravit, late Sheriff of Grant county.

Mr. Boyd, from the committee on the Library, reported a bill to provide for the purchase of Milne and Bruder's map of Kentucky, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

*Ordered*, That said bill be engrossed and read a third time to-morrow, at 12 o'clock, M.

Mr. Boyd, from the same committee, to whom was referred the communication of John Nagle, asked to be discharged from the further consideration of the same, which was granted.

Mr. Sprigg, from the committee on Circuit Courts, to whom was referred a bill from the Senate, entitled, an act to change the time of holding the Circuit Courts of the counties of Daviess, Ohio, and Muhlenburg, reported the same with amendments, which were concurred in.

The said bill was then further amended.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

On motion of Mr. McNary,

*Ordered*, That said bill be laid on the table.

An engrossed bill, entitled, an act to incorporate the Nashville and Cincinnati Railroad Company, was read a third time, as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled, an act "to incorporate the Nashville and Cincinnati Railroad Company," passed in the month of December, 1851, by the Legislature of Tennessee, shall be and the same is hereby made operative within the state of Kentucky, so far as its provisions are applicable, and not inconsistent with the succeeding sections of this act; and which said act of incorporation is in the words and figures following, to-wit :

*A bill to incorporate the Nashville and Cincinnati Railroad Company.*

§ 1. *Be it enacted by the General Assembly of the State of Tennessee*, That for the purpose of establishing a communication by railway between the city of Nashville and Cincinnati, through the town of Gallatin, in the county of Sumner, either by connecting with the Lexington and Danville railway at Danville, or elsewhere, in Kentucky, or with any other railway, in the state of Kentucky, which may approach the Tennessee line, or with any railway which may be incorporated by the commonwealth of Kentucky, the formation of a company is hereby authorized; which, when formed, shall be a body corporate, by the name and style of the Nashville and Cincinnati Railroad Company; and by said corporate name shall be capable, in law, to buy, receive by gift, hold, sell, and lease and convey real and personal estate, make contracts, sue and be sued, to make by-laws, and do all lawful acts properly incident to a corporation, and necessary and proper to the transactions of the business for which it is incorporated; and to have and use a common seal, and the same to alter and destroy at pleasure; and shall have perpetual succession of members.

§ 2. *Be it enacted*, That Samuel D. Morgan, Alexander Allison, John M. Hill, John Shelby, Samuel R. Anderson, John M. Bass, Andrew Ewing, Willoughby Williams, Jacob McGalock, A. V. S. Lindsley, and — Wetmore, of the county of Davidson; Lee Shute, George Dismukes, William C. Moore, Daniel Donalson, Bennett Duglass, William M. Blackmore, Benjamin Howard, John J. White, John Branham, Francis Rogan, R. A. Tompkins, James Guin, John W. Henry, Harry Smith, James A. Blackmore, Joseph Harlan, David Chinault, John Patterson, Henry Sarver, H. B. Vaughn, Y. A. Douglass, John W. Head, of the county of Sumner; and Dr. Samuel Sullivan, C. J. Bratton, Dr. Farling King Kirly, John C. Marshall, Jesse G. Bledsoe, D. O. Pursley, William Brobinson, W. Y. Adams, H. L. Pursley, Anderson Bratton, P.

A. Wilkerson, William H. Dewitt, L. B. Griffith, of the county of Macon; and John H. Page, William F. Evans, A. A. Harvey, Samuel Carpenter, Walter Thomas, R. J. Foster, James C. Mulligan, and James Staks, of the county of Allen, in Kentucky; and A. Watkins, J. G. Hardy, P. J. Kirley, G. W. Trabue, F. Gorin, A. Tregg, R. Murrell, John T. Rogers, James Page, W. E. Munford, J. P. Bates, and W. J. Wood, Jr., of the county of Barren, in Kentucky; and C. Nourse, James Brown, D. S. Howell, C. P. Mattingly, J. M. Doom, E. B. Smith, G. W. Hite, James M. Brown, S. Johnson, John H. Talbor, of the county of Nelson, in Kentucky; and S. W. Stone, J. H. Rodman, John Duncan, W. P. Read, W. L. Morris, W. Howell, and J. P. Hamilton, of the county of Larue, in Kentucky, be and they are hereby appointed commissioners, under the direction of whom, or any of whom, subscriptions may be received to the capital stock of the Nashville and Cincinnati Railroad Company; and they may cause books to be opened at such times and places as they may direct, for the purpose of receiving stock, subscribed to the capital stock of said company; and after they shall open said books, they shall continue them opened, until they shall receive the amount of the capital stock, or as they may deem expedient; and if any of said commissioners shall die, resign, remove, or refuse to act, another may be appointed in his stead by the remaining commissioners, or a majority of them, of the county for which the said commissioner, so not acting, was appointed a commissioner.

§ 3. *Be it enacted*, That the capital stock of said Nashville and Cincinnati Railroad Company shall be three millions of dollars, in shares of twenty-five dollars each, which may be subscribed for by any individual, county, or corporation; and so soon as four thousand shares of said capital stock shall be subscribed, the subscribers of said stock, their successors and assigns, shall be and they are hereby declared to be incorporated into a company, by the name of the Nashville and Cincinnati Railroad Company, possessing the powers, rights, and privileges, specified in the first section of this act.

§ 4. *Be it enacted*, That the stock subscribed shall be paid in such installments, and at such times, as may be required by the board of directors of said company: *Provided*, that no payment shall be demanded until at least thirty days' public notice of such demand shall have been given by said board of directors, by a publication in one or more of the newspapers published within the state of Tennessee; nor shall more than twenty-five per cent. of each share of stock be called for in any one year; but if the exigencies of the company should require the payments of stocks to be made more rapidly than is provided for herein, or should the board of directors, or a majority of the whole number elected, consider it expedient, it shall be lawful for them to borrow, on the credit of said company, a sum of money not exceeding six hundred thousand dollars; and if any subscriber shall fail or neglect to pay any installment, or any part thereof, demanded according to the provisions of this section, the same may be recovered by action, in the name of said corporation against such defaulting subscriber, before any tribunal having jurisdiction of such cases; and in all such actions, publication as directed in this section, shall be the only demand necessary to be proved; or in case such failure or neglect to pay any installment, or part of said



subscription, demanded according to the provisions of this act, shall continue for the space of sixty days next after the time the same may be due and payable, the board of directors may, in their discretion, order that the same shall be forfeited to the company, and they may also sell it for the benefit of the company, if they think proper; but the said board of directors, by a majority of the whole board, may remit any such forfeiture, on such terms as they think proper: *And, provided further*, that it shall be lawful to receive subscriptions to the capital stock of this company, payable in contracts well secured, to build such parts of the road, or to perform such work in the construction thereof, as may be accepted by the company.

§ 5. *Be it enacted*, That so soon as four thousand shares of the capital stock shall have been subscribed, the said commissioners, or a majority of them, shall call a general meeting of the subscribers, at such time and place as they may appoint, and shall give at least twenty days' public notice thereof, in some one or more of the newspapers published in Tennessee; and at such meeting, the commissioners shall lay the books before the subscribers, or a majority of them; those present shall have the power to elect, from among the stockholders, seven directors, by ballot, to manage the affairs of the company; and these seven directors, or a majority of them, shall have the power to elect a president of said company, either from among the directors or any other subscriber or stockholder, and of allowing such compensation for his services as they may think proper; and in such elections, and on all other occasions where a vote of the stockholders of said company is to be taken, each stockholder shall be allowed one vote for every share owned by it, him, or her; and every stockholder may, in writing, depute any other person to vote and act as its, his, or her proxy; and the said commissioners, or any three of them, shall be the judges of said first election of directors.

§ 6. *Be it enacted*, That, to continue the succession of the president and directors of said company, seven directors shall be chosen annually on the first monday in June, every year, by the stockholders of said company, at such place as the president and directors may designate: *Provided*, that, after the first election, the said president and directors may change the time and place of holding all subsequent elections, upon publishing such change not less than thirty days prior to the election, in the papers aforesaid; and the directors, or a majority of them, shall have the power to appoint judges of all elections, and to elect a president of said company, either from the directors or any stockholder, and allow him such compensation for his services as they may deem proper; and if any vacancy shall occur, by death, resignation, or refusal to act, of any president or director, before the year for which he may be elected has expired, a person to fill such vacancy for the year shall be appointed by the president and directors of said company, or a majority of them; and that the president and directors of the company shall hold and exercise their offices until a new election of president and directors, and until they are qualified as such; and that all elections which are by this act, or by the by-laws of said company, to be made at a particular time, if not made at such time, may be made any time thereafter, upon public notice being given.

§ 7. *Be it enacted*, That a general meeting of the stockholders of said company may be called, at any time during the interval between the annual meetings, by the president and directors, or a majority of them, or by the stockholders owning at least one-fourth of the whole stock subscribed, upon giving thirty days' notice of the time and place of holding the same, in said newspapers; and when any such meetings are called by the stockholders, such notice shall specify the object of the call; and if, at any of such called meetings, a majority, in value, of the stockholders are not present, in person or by proxy, the same shall be adjourned from day to day, without transacting any business, for any time not exceeding five days; and if, within said five days, stockholders having a majority, in value, of the stock subscribed, do not attend, such meeting shall be dissolved.

§ 8. *Be it enacted*, That at the regular annual meeting of the stockholders of said company, it shall be the duty of the president and directors, in office for the preceding year, to exhibit a clear and distinct account of the affairs of the company; that, at any called meeting of the stockholders, a majority, in value, of the holders of the stock subscribed being present, may demand and require similar statements from the president and directors, whose duty it shall be to furnish them when thus required; and that, at all general meetings of the stockholders in said company, a majority of them, in value, may remove from office the president or any of the directors, and fill up the vacancies thus made, in the same manner that they could do at their stated annual meetings.

§ 9. *Be it enacted*, That the president and directors of said company, before he or they act as such, shall swear or affirm, as the case may be, that they will well and truly discharge the duties of their respective offices to the best of their skill and judgment; and said president and directors, or a majority of them, or a majority, in value, of the stockholders in said company, at any of the stated or called meetings, shall have the power to elect or appoint a treasurer of said company, and to require and take of him such bond, and such penalty, and with such securities as they may prescribe, payable to said company, and conditioned for the faithful keeping and disbursing of all such moneys as may come to his hands, and with such other conditions as may be prescribed; upon which bond recovery may be had, for a breach of the conditions thereof, by suit, in the name of said company, in any court having jurisdiction thereof.

§ 10. *Be it enacted*, That if any of the stock created by this act shall remain unsubscribed until after the election of the president and directors, the said president and directors, or a majority of them, shall have power to open books and receive subscriptions to any of the capital stock which may remain untaken or unsubscribed for, or to sell or dispose of such untaken stock, for the benefit of the company, not under its par value; and the subscribers or purchasers of said stock have all the rights of original subscribers, and subject to the same regulations.

§ 11. *Be it enacted*, That the president and directors, or a majority of them, may appoint all such officers, agents, or servants, as they may deem expedient for the business of the company, and remove any of them at pleasure; that they, or a majority of them, may determine, by contract, the pay of such officers, agents, and servants, and regulate,

by by-laws, the manner of adjusting all accounts against the company; that they shall have power to erect warehouses, workshops, depots, and all other buildings necessary for the transaction of the business of the company; that they shall have the power to direct and regulate in what manner, and by what evidence stock in said company may be transferred; and to pass all by-laws which they may deem necessary or proper for exercising the powers hereby vested in said company, and for carrying into effect this act: *Provided*, the same shall not be contrary to the laws of the United States, or of this state.

§ 12. *Be it enacted*, That the capital stock of said company may be increased or diminished by the president and directors, or a majority of them, as the exigencies or interest of said company may demand.

§ 13. *Be it enacted*, That the president and directors of said company are hereby vested with all powers and rights necessary to the construction of a railroad from the city of Nashville, or south Nashville, to the Kentucky line, in the direction of Danville, by the town of Gallatin, Sumner county, or by the said town of Gallatin, to connect with Lexington or Harrodsburg, or unite with any railway within the state of Kentucky, the route to be by them selected and determined on, not exceeding sixty-six feet wide, with as many sets of tracks as they may deem necessary; and that they may cause contracts to be made with others for making said road, or any parts of it; and that they, their agents, engineers, or those with whom they may contract for surveying, or making of said road, or any part thereof, may enter upon, use, and excavate any land which may be wanted for the site of said road, or the erection of warehouses, or other structures, or works necessary to said road and its use, or for any other purpose necessary or useful in the construction or repair of said road, or its works or appurtenances; and they may build bridges, and construct tunnels: *Provided*, the same do not obstruct the navigation on navigable streams; may fix scales and weights, lay rails, take and use any earth, timber, gravel, stone, or other material which may be useful or necessary for the proper construction, completion, or repair of said road.

§ 14. *Be it enacted*, When any lands or right of way may be acquired by the said company, for the purpose of constructing their said road, and for want of agreement as to the value thereof, or from any other cause, the same cannot be purchased from the owner or owners, the same may be taken at a valuation to be made by five commissioners, or a majority of them, to be appointed by the circuit or county court of the county where some part of the land or right of way is situated; and the said commissioners, before they act, shall severally take an oath before some justice of the peace faithfully and impartially to discharge the duty assigned them; in making the said valuation, the commissioners shall take into consideration the loss or damage which may occur to the owner or owners, in consequence of the land being taken, or the right of way surrendered, and, also, the benefit and advantage he, she, or they may receive from the erection or establishment of the railroad or works, and shall state particularly the nature and amount of each; and the excess of loss and damage over and above the benefit and advantage shall form the measure of valuation of the said land or right of way. The proceedings of the said commissioners, accompanied with a full de-



scription of the said land or right of way, shall be returned, under the hands and seals of a majority of the commissioners, to the circuit court of said county, there to remain of record. In case either party to the proceedings shall appeal from the valuation to the next session of the circuit court of the county where said land is situated, and give reasonable notice to the opposite party of such appeal, the court shall order a new valuation to be made, by a jury who shall be charged therewith, in the same term, or as soon as practicable, and their verdict shall be final and conclusive between the parties, unless a new trial shall be granted, subject, however, to an appeal as in other cases; and the lands or right of way, so valued by the commissioners, or jury, shall vest in said company, in fee simple, so soon as the valuation may be paid, or when refused, if tendered. Where there may be an appeal, as aforesaid, from the valuation of the commissioners, by either of the parties, the same shall not prevent the works intended to be constructed from proceeding; but when the appeal is by the company, requiring the surrender, they shall proceed, or be at liberty to proceed in their works, on condition of giving the opposite party a bond, with good security, to be approved by the clerk of the circuit court of the county where the valuation is returned, in a penalty equal to double the said valuation, conditioned for the payment of said valuation and interest, in case the same be sustained; and in case the same be reversed, for the payment of the valuation thereafter to be made by the jury, and confirmed by the court: *Provided*, that when the land cannot be had by gift or purchase, the operations of the work are not to be hindered or delayed, during the pendency of any proceeding to assess its value, as aforesaid, nor shall any injunction or supersedeas be awarded by any judge or court to delay the progress of said work.

§ 15. *Be it enacted*, That in the absence of any contract with the said company, in relation to lands through which said road may pass, signed by the owner thereof, or by his agent, or any claimant, or person in possession thereof, which may be confirmed by the owner, it shall be presumed that the land upon which the said road may be constructed, together with a space of one hundred feet on each side of the centre of said road, has been granted to the company, by the owner thereof; and the said company shall have good right and title thereto, and shall have, hold, and enjoy the same, as long as the same be used only for the purposes of the road, and no longer, unless the person or persons owning the said land, at the time that part of the road which may be on said land was finished, or those claiming under him, her, or them, shall apply for an assessment for the value of the said lands, as herein before directed, within five years next after that part of said road was finished; and in case the said owner or owners, or those claiming under him, her, or them, shall not apply for such assessment within five years next after the said part was finished, he, she, or they shall be forever barred from recovering the said land, or having any assessment or compensation therefor: *Provided*, that nothing herein contained shall affect the right of *femes covert*, or infants, or *non compos mentis*, until two years after the removal of their respective disabilities.

§ 16. *Be it enacted*, That the president and directors, or their authorized agents, may receive releases from the owners of lands, of the right of

way, which may be acknowledged or proved as other deeds, and registered, and may agree with the owner of any land, earth, timber, stone, or other material for the construction or repair of said road, or any of their works, for the purchase, or use, or occupation of the same.

§ 17. *Be it enacted*, That said company shall have authority and power to construct their road in such manner as to unite with or diverge from any railroad, either in the state of Tennessee or Kentucky; and the companies, from time to time, may agree upon the terms, just and proper, for the thorough transportation of freight and travel; and said company shall have the same power and authority to construct a branch of said road, or branches, as said company may desire, that the charter gives them to construct the main line, and with the same rights and privileges, and with the same duties and restrictions.

§ 18. *Be it enacted*, That after the company shall be organized, by the election of directors and the choice of the president and other officers, they may cause one or more of the main routes of said road to be surveyed and estimated, preparatory to location and letting of the work; but, before proceeding to let the work, in whole or in part, the president and directors shall call a meeting of the stockholders, and lay before them the costs of the road, as far as estimated, with the amount of subscriptions obtained, and the right of way obtained, and the expenses incurred, and shall then proceed to let the work, and make the necessary contracts for the construction of the road.

§ 19. *Be it enacted*, That whenever, in the construction of said road or roads, it shall be necessary to intersect any other established road or way, it shall be the duty of the president and directors so to construct said road across such road or way, as not to impede the passage of persons or property along the same; or, when it shall be necessary to pass through the land of any person, it shall also be their duty to provide for such person proper wagon ways across said railroad, from one part of the land to the other; and if said company shall fail to provide proper wagon ways across said road, as herein provided, it shall be lawful for any person to sue said company, and be entitled to such damages as a jury may think him or her entitled to for such neglect.

§ 20. *Be it enacted*, That whenever it shall be necessary for said company to have, use, or occupy any land, materials, or other property, in order to the construction or repair of any part of said road or roads, or their works, or necessary buildings, the president and directors of said company, or their agents, or those contracting with them for working or repairing the same, may immediately take and use the same, they having first caused the property wanted to be viewed by commissioners formed in the manner herein before prescribed; and it shall not be necessary, after such view and valuation, in order to the use and occupation of the same, to wait the issue of the proceedings upon such view, and the finding of the jury, and action of the court thereon; the payment or tender of such valuation shall be a bar to all actions for taking and using such property, whether begun before or after such confirmation, or the payment of said valuation.

§ 21. *Be it enacted*, That the president and directors shall have power to purchase, with the funds of said company, and place on any railroads constructed by them under this act, all machines, wagons, vehicles, or

carriages of any kind, which they may deem proper, for the purposes of transportation on said road; and they shall have the power to charge for tolls, and the transportation of persons, merchandise, and property of any kind whatever, transported along said railway, any sum not exceeding the following rates: for transportation or conveyance, not exceeding thirty-five cents per hundred pounds on heavy articles, and ten cents per cubic foot on articles of measurement, for every hundred miles, and five cents a mile for every passenger. It shall not be lawful for any other company, or any other person or persons, to travel upon or use any of the roads of said company, or transport persons or property thereon, without the license and permission of the president and directors thereof.

§ 22. *Be it enacted*, If any person shall willfully and maliciously destroy, or in any manner hurt, damage, or obstruct the said railroad, or any bridge, or any vehicle used for or in the transportation thereon, such person or persons, so offending, shall be liable to be indicted therefor, and, on conviction, shall be imprisoned not more than six nor less than one month, and pay a fine not less than twenty dollars, and shall be further liable to pay all expenses of repairing the same; and it shall not be competent for any person so offending against the provisions of this clause, to defend himself by pleading or giving in evidence that he was the owner or agent, or servant of the owner of the land, where such destruction, hurt, damage, injury, or obstruction was done or caused, at the time the same was caused or done.

§ 23. *Be it enacted*, That every obstruction to the safe and free passage of vehicles on the said road, shall be deemed a public nuisance, and may be abated as such by an officer, agent, or servant of the company; and the person causing such obstruction may be indicted and punished for erecting a public nuisance.

§ 24. *Be it enacted*, That if any person shall willfully intrude upon the said railroad, or any part thereof, by any manner of use thereof, or of the rights and privileges connected therewith, without permission, or contrary to the will of said company, he, she, or they shall forthwith forfeit to the said company all the vehicles that may be so intruded on the said railroad, and the same may be recovered by suit at law; and the person or persons, so intruding, may be also indicted for a misdemeanor, and, upon conviction, fined and imprisoned, by any court of competent jurisdiction.

§ 25. *Be it enacted*, That the said company shall have the right to take, at the store houses they may establish or annex to their railroad, all goods, wares, merchandise, and produce, intended for transportation; prescribe the rules of priority, and charge and receive such just and reasonable compensation for storage as they may, by rates, establish, or as may be fixed by agreement with the owner, which may be distinct from the rates of transportation: *Provided*, that the said company shall not charge or receive storage on goods, wares, merchandise, or produce which may be delivered to them at their regular depositories, for immediate transportation, and which the company may have the power of transporting immediately.

§ 26. *Be it enacted*, That the profits of the company, or so much thereof as the board of directors may deem advisable, shall, when the affairs of the company, will permit, be semi-annually divided among the stockholders, in proportion to the stock each may hold.



§ 27. *Be it enacted*, That the said company shall possess such additional powers as may be convenient for the due and successful execution of the powers granted in this charter, and for the successful construction and management of the work.

§ 28. *Be it enacted*, That the president, directors, clerks, agents, officers, and servants of said company shall be exempt from military duty, except in cases of invasion or insurrection; and shall also be exempt from serving on juries, and working on public roads.

§ 29. *Be it enacted*, That the company shall have full power and authority to purchase and own such number of slaves as may be necessary for the construction of said road, and for the keeping the same in repair.

§ 30. *Be it enacted*, That the capital stock of said company shall be forever exempt from taxation, and the road, with all its fixtures and appurtenances, including work-shops, warehouses, and vehicles of transportation, shall be exempt from taxation for the period of twenty years from the completion of the road, and no longer.

§ 31. *Be it enacted*, That so soon as five miles of the road shall have been completed by the company, they may commence and prosecute business, upon the terms, and upon the stipulations herein provided, as though the whole work was completed.

§ 32. *Be it enacted*, That the said company shall have the power, in contracting for the construction of said road, or any part thereof, to pay one-third of the contract price in the bonds of the company, bearing not more than six per cent. per annum interest, payable half yearly, interest and principal payable in some of the eastern cities, or elsewhere, and to secure the same by deed of trust upon said road, as may be agreed on; and the said company shall have the authority and power to issue the bonds of said company to an amount not exceeding six hundred thousand dollars, in sums not exceeding one thousand dollars, and bearing an interest not exceeding six per cent. per annum, payable half yearly, in some of the eastern cities, or elsewhere; and to sell said bonds, and apply the proceeds to the completion of said road, or any of its branches; the said company having full power to secure the payment of said bonds by the execution of a deed of trust upon the railroad and its property, and, from time to time, apply the dividends or profits to their payment.

§ 33. *Be it enacted*, That it shall be lawful for the county courts of Davidson, Sumner, and Macon counties, and the incorporated towns of Gallatin and Lafayette, and the city of Nashville, and it is hereby made the duty of said courts and incorporations to subscribe for stock in the Nashville and Cincinnati railroad company, as is hereinafter provided for.

§ 34. *Be it enacted*, That before any county court, or incorporated city or town shall be permitted to subscribe stock in the name of the county, city, or town, it is hereby made the duty of said court, mayor and aldermen of said incorporations, to call for the approbation of the legal voters of the county or incorporation, by advertising an election, to be held by the sheriff of the county, and by the town or city constable, (as the case may be,) giving at least thirty days' notice of the same, such notice to be posted up at the election precinct in the county, or place of voting in the wards of the incorporation, (as the case may be;) which notice shall

always state the amount of stock which the court, city, or town may propose to take or subscribe for, when payable; and if a majority of the votes polled be "for subscription," then, and in that case, the chairman of the county court, the mayor of the incorporation, (as the case may be,) shall carry into effect the will of the majority, and shall subscribe the amount of the stock proposed and voted for, as aforesaid; but if a majority of the votes<sup>1</sup> polled be "no subscription," then the question as to the propriety of subscribing stock, as before provided for, shall not again be propounded, until after the expiration of six months, and not then, without the concurrence of one-third of the justices of the county, or mayor and aldermen, as the case may be.

§ 35. *Be it further enacted*, That the county or counties, city or towns, that may avail itself or themselves of the provisions of this act, shall, through the county courts, or mayor and aldermen, (as the case may be,) elect upon what portion of said road the moneys herein provided to be raised, shall be expended, which shall always be within the county by which such stock is taken, or as near thereto as may be practicable.

§ 36. *Be it further enacted*, That in all cases where the stock contemplated in the provisions of this act is taken, as provided for, it shall be the duty of the county courts, and mayor and aldermen, respectively, to levy a tax upon the taxable property and privileges within the county or incorporation voting by a majority to subscribe for said stock; which tax shall be levied and paid upon the principle of levying the state, county, and corporation tax, as the case may be; and said tax shall be called the "railroad tax," to be kept distinct from the other taxes; the county or corporation, collecting of taxes, as the case may be, in the event they shall not elect a railroad collector, shall collect said "railroad tax" according to the tax list, to be furnished them by the county court, or mayor and aldermen, as aforesaid; which list of taxable property and privileges shall be made out in conformity to the last previous valuation thereof, and in conformity to the last taxation of the taxable privileges: *Provided, however*, the tax to be collected in any one year shall not exceed two per cent. of the aggregate value of the taxable property of the county, city, or town; and the like proportion shall be observed upon the taxable privileges, as aforesaid.

§ 37. *Be it further enacted*, That the county courts, and mayor and aldermen, as aforesaid, shall require the collector of the "railroad tax" to give bond and security, in such amount as they may require, of said tax, payable to the state of Tennessee, previous to his entering upon the duties of his office, conditioned that he will discharge his duty, and faithfully account for and pay over said taxes to the president and directors of said railroad company, and he and his securities shall be liable in like manner as, by law, revenue collectors are made liable.

§ 38. *Be it enacted*, That as the collector shall collect said taxes, he shall pay the same over to the president and directors of said company, who shall apply said tax as received to the payment of so much stock subscribed as aforesaid; and each and every person who pays any part of said tax, shall be reported by said collector to said company, and shall be entitled to his, her, or their *pro rata* share of stock in said company, and shall be entitled to demand and receive a certificate of stock for the amount of said tax paid to said railroad company, by each, re.

spectively, and shall be a stockholder in said company to the extent of the tax paid, as aforesaid; which certificate of stock may be assigned or transferred, and shall entitle the holder thereof to become a stockholder to the amount of the certificates of stock he may hold; and it shall be the duty of the company to take in and cancel minor certificates of stock, when produced, and deliver to the holder a certificate of stock embracing all that may be delivered up, from time to time: *Provided*, the same shall amount to one share or more; and such certificate of stock shall entitle the holder thereof to the like rights and privileges as other stockholders in said company.

§ 39. *Be it enacted*, That the county courts, or mayor and aldermen, as aforesaid, shall have the power to elect a railroad collector, if they think proper, who shall give bond, collect said tax, and discharge the duties of collector as prescribed in the previous provisions of this act, and, in like manner, be made liable for a failure to discharge his duty.

§ 40. *Be it enacted*, That it shall be the duty of said county courts, and the mayor and aldermen of said corporations to order said elections for stock, as aforesaid, upon application, in writing, of a majority of the commissioners appointed for the counties respectively: *Provided, however*, if said company shall be formed and organized by the election of a president and directors of said company, then the application shall be made, in writing, by the board; and said elections shall be conducted and held in such manner as said county courts and mayor and aldermen shall direct.

§ 41. *Be it further enacted*, That for the purpose of meeting any unexpected demand on the part of the board of directors of the company, in the construction of said railroad, to be expended as aforesaid, at a time when the county or corporation may have no "railroad tax" on hand, the county courts, and mayor and aldermen aforesaid, may anticipate the collection of the taxes voted and subscribed, as aforesaid, by the issue of county and corporation warrants, payable as directed by said board of directors, bearing an interest of six per centum per annum, which warrants may be received by the board of directors in payment of so much of the stock so subscribed.

STATE OF TENNESSEE, CITY OF NASHVILLE.

I, the Clerk of the House of Representatives, certify that the foregoing act has passed both Houses of the General Assembly of Tennessee, and has become a law—the Speakers of the two Houses having signed the same.

This December 5th, 1851.

JNO. H. SENTER.

§ 2. The said company, hereby incorporated, shall not take, or appropriate any land within the state of Kentucky, for any purpose whatever, without the consent of the owner, or without having previously paid therefor a just compensation; and to ascertain the amount to be paid for land deemed necessary for said corporation, under said act of incorporation, the company shall have the right to apply for a writ of *ad quod damnum*, to assess the value thereof, and any damages, under the general law for condemning land for roads in the state of Kentucky.

§ 3. The said company shall have the right of submitting to the popular vote of each county in Kentucky, through or into which the road or



its branches, contemplated by this act, shall run, the question of subscribing stock in said company to an amount not exceeding, in any one county, the sum of two hundred thousand dollars, with all the privileges and rights, and under the same limitations and conditions contained in an act, entitled, an act to authorize the county of Fayette and city of Lexington to subscribe stock in railroad companies, approved January 25, 1851: *Provided*, that either or all of said counties may pay the subscriptions made by them by direct tax on the real and personal property of said county or counties, or by bonds, as provided in said act, or partly in bonds and partly in money, at the discretion of the county courts. And in case it shall be decided to pay the whole, or any part of said subscriptions by direct tax, the same proceedings shall be taken in reference to its collection as are provided in said act for the collection of the tax, for the payment of interest on the bonds. Payments by direct tax shall be made in not more than four annual installments. But if the stock of said Nashville and Cincinnati company be not subscribed within ten years, this charter shall be void.

§ 4. The general assembly of the commonwealth of Kentucky reserves to itself the right to tax the property of said company, within the limits of Kentucky, in the same manner and to the same extent that the property of other railroad companies in this state are taxed.

§ 5. The tariff of charges by said company, for the transportation of passengers and freight, shall be equal on all parts of said road, in proportion to distance, and equal facilities therefor in either direction shall be furnished.

§ 6. Nothing in this act shall be construed so as to prohibit the general assembly of Kentucky from passing any law authorizing the construction of railroads, within this state, parallel to, crossing, or to unite with said road, and the power to do so is hereby expressly reserved; and the power to unite with any railroad within this state shall be so construed as to authorize said company to unite with the Lexington and Danville railroad at Danville or Lexington, or at some point between Danville and Lexington; and the power to construct a branch or branches of said road, within this state, shall only authorize said company to construct a branch from Glasgow, in Kentucky, to intersect with the Nashville and Chattanooga railroad at some point on said road, which power is hereby given said company, with the same privileges and restrictions that they have to construct the main stem from Nashville.

§ 7. The general assembly of the commonwealth of Kentucky hereby reserves the right to restrict and limit the amount of capital stock in said company hereafter.

§ 8. This act shall not take effect unless the legislature of Tennessee shall, upon application by the Louisville and Nashville railroad company,

at the present, or before the end of the next session of said legislature, grant to said company the right of way through Tennessee to such point as they may select for their depot on the north side of the Cumberland river, opposite Nashville, or on the south side of said river, within one mile and a half of the depot of the Nashville and Chattanooga railroad.

On motion of Mr. Williams, the said bill was amended, by adding the following engrossed clause, by way of rider, viz :

*Provided*, That in all cases a majority of all the qualified voters of the several cities, counties, and towns, shall be necessary to authorize the subscription of stock, the imposition of tax, or issuing of bonds.

Mr. J. H. Lewis moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The main question was then put—"shall the bill pass?" and it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Craig and Briggs, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker (Robertson,)	Charles J. Helm,	Samuel M. Moore,
William C. Anderson,	John B. Holladay,	William F. Moore,
Joseph H. Barlow,	Benjamin F. Hume,	Thomas J. Nash,
James P. Bates,	John G. James,	Micajah Oglesby,
A. H. Bryan,	Henry S. Johnson,	Isaac N. Shepperd,
James L. Caldwell,	Alfred M. Jones,	Napoleon B. Stone,
John Calvert,	John A. Keith,	Francis Troutman,
Charles G. C. Canby,	John J. Landrum,	Claiborne J. Walton,
Hezekiah Cox,	Joseph H. Lewis,	William C. Webster,
Jonathan Davis,	George R. McKee,	James C. Wilmore,
Christian Engleman,	Andrew Monroe,	Francis H. Winfrey—34.
Thomas R. Givens,		

Those who voted in the negative, were

William Bailey,	Grant Green,	Elijah S. Mitchusson,
Cleaton Bane,	John J. Haley,	Barnett C. Moran,
John S. Boyd,	Thomas R. Harman,	Robert O. Morgan,
Charles M. Briggs,	Samuel Hatfield,	Birch Musselman,
Joshua F. Bullitt,	Alvin Herndon,	Joel W. Sallee,
Isaac Burnett,	Thomas Hagins,	William T. Samuels,
Robert M. Carlisle,	Alvin M. Hume,	Elijah G. Seabee,
A. D. Cosby,	James H. Hundley,	James C. Sprigg,
Edwin S. Craig,	William G. Jackson,	Daniel B. Stivers,
Francis U. Dodds,	Benjamin H. Kerrick,	John J. Thomas,
James Edelin,	John B. Laffoon,	Joshua H. Thomas,
David Elms,	Charles Lee,	William O. Thomson,
Francis Ford,	Opie J. Lindsay,	Lawrence S. Trimble,
John F. Gaar,	Henry D. McHenry,	Thornton Triplett,

Jacob S. Golladay,  
William C. Grier,  
David Griggs,

William McMillan,  
William C. McNary,

Drury Tye,  
Alex. H. Willingham—49.

The House then resolved itself into a committee of the whole, on the bill to authorize a conventional rate of interest of ten per cent. per annum, Mr. Burnett in the chair; and after some time spent therein, the Speaker resumed the chair, when Mr. Burnett reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

*Ordered*, That Mr. Bane have leave of absence for five days, and Mr. Lee for four days.

Leave was given to bring in the following bills, viz:

On motion of Mr. Webster—1. A bill to repeal so much of the Henderson and Nashville Railroad charter that prohibits the state the right to tax the capital stock of said road.

On motion of Mr. Trimble—2. A bill to authorize the County Court of McCracken to levy an additional tax for the purpose of building a new court house and jail in said county.

On motion of same—3. A bill to incorporate the New Orleans and Ohio Railroad Company.

*Ordered*, That Messrs. Webster, G. Green, Griggs, and Bullitt, prepare and bring in the 1st; the committee on County Courts the 2d; and Messrs. Trimble, Willingham, and Dodds, the 3d.

And then the House adjourned.

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SATURDAY, DECEMBER 20, 1851.

Mr. Jones, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the town of Marion, in Crittenden county.

An act permitting the sale of real estate at the door of the city hall in the city of Covington.



An act for the benefit of George Emmick.

An act to prohibit certain officers from trafficking in claims on county treasuries.

An act to extend the mechanics' lien law to certain counties.

An act to incorporate the Mountsterling, Kiddville, and Irvine Turnpike Road Company.

An act to amend the charter of the town of Clayvillage, in Shelby county.

An act for the benefit of the Sheriff of Jessamine county.

An act to authorize the Clarke County Court to subscribe stock in works of internal improvement in said county.

An act for the benefit of Samuel Spencer.

An act to authorize Justices of the Peace to hold inquests in certain cases.

An act to change the line between the Tolesburg precinct and James McCormick's precinct, in Lewis county.

An act authorizing the Presiding Judge of Kenton county to hold quarterly terms in Covington.

An act changing the lines of districts in Lewis and Madison counties.

An act to take the sense of the people of Owsley county, for the purpose of changing the county seat of said county.

An act authorizing the County Court of Wayne to sell the old jail and stray pen lots in Monticello.

And bills and a resolution, which originated in the Senate, of the following titles, to-wit :

An act to incorporate the Ohio river, Bedford, and Campbellsburg Plank Road Company.

An act to provide for the construction of a levee from the town of Hickman to the Tennessee line.

A resolution for the election of public officers.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Jones inform the Senate thereof.

A message was received from the Governor, by Mr. MERIWETHER, Secretary of State, announcing that he had approved and signed enrolled bills, which originated in this House, of the following titles, to-wit :

An act for the benefit of the Sheriff of Breathitt county.

An act for the benefit of Elisha Breeding.

An act authorizing William Garrard to build a fish dam and trap across Main Licking river.

An act for the benefit of the Sheriff of Butler county.

An act for the benefit of John Wallis.

An act for the benefit of the Sheriff of Pendleton county.

An act to amend the several acts regulating the election of trustees of the town of Scottsville.

An act to incorporate the town of Lovelaceville, in Ballard county.

An act to change the time of holding the Clinton Circuit Court, and allowing an additional week to the Cumberland Circuit Court.

An act for the benefit of Kean O'Hara.

An act declaring Griffey's creek navigable.

An act for the benefit of Joseph Curd, of Jessamine county.

An act to authorize a change in the state road in Todd county.

An act to change the time of holding the Court of Claims in Bath county.

An act to incorporate Proctor Division, No. 205, Sons of Temperance.

An act to change the place of voting in the Worthville district, in Carroll county.

An act to authorize the Clerk of the Logan County Court to transcribe and have re-bound certain record books.

An act to authorize the Clerk of the Henderson County Court to transcribe and index certain records in his office.

An act to incorporate the Winchester and Kiddville Turnpike Road Company.

A resolution for the benefit of the Louisville and Frankfort Railroad Company.

Approved December 13, 1851.

1. Mr. McNary presented the petition of sundry citizens of the town of Greenville, asking for a Police Judge and Town Marshal.

2. Mr. Engleman presented the petition of sundry citizens of Crab Orchard, in Lincoln county, praying amendments to their charter.

3. Mr. Golladay presented the petition of sundry citizens of Logan county, praying the passage of an act in relation to the sale of ardent spirits.

4. Also, the petition of sundry citizens of said county, praying to be added to the Russellville election precinct.

5. Mr. Duncan presented the remonstrance of sundry citizens of Nelson county, against adding a part of Nelson to Spencer.

6. Mr. Dodds presented the petition of sundry citizens of Calloway county, praying the passage of a law in relation to the sale of ardent spirits.

7. Mr. S. M. Moore presented the remonstrance of sundry citizens of Covington, against giving the city council control over the ferries.

8. Mr. Triplett presented the remonstrance of sundry citizens of Crab Orchard, Lincoln county, remonstrating against an amendment to the charter of said town.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Ways and Means; the 2d, 3d, 7th, and 8th, to the committee on the Judiciary; and the 4th, 5th, and 6th, to the committee on Propositions and Grievances.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act for the benefit of George H. Morrow.

An act to suspend the operation of the law in relation to changing common school districts in the county of Christian.

An act for the benefit of James H. Godsey, former sheriff of Johnson county, and George H. Morrow, late sheriff of McCracken county.

An act to establish and regulate the width of a certain portion of the road leading from Richmond to Mountsterling.

An act to prevent the erection of obstructions on Quicksand creek, in Breathitt county.

An act incorporating the Newport and Covington Bridge Company.

An act to exempt certain persons from paying tolls at the gates on the Lexington and Covington turnpike road, in Grant county.

An act altering school districts Nos. 55 and 29, in Morgan county.

An act to change the state road leading from Hopkinsville to Clarksville, in Tennessee.

An act to change the place of voting in an election precinct in Jefferson county.

An act to change a place of voting in Muhlenburg county.

An act to extend the corporate limits of the city of Newport.

An act to charter the town of Mount Olivet, in Nicholas and Bracken counties.

An act to repeal an act, entitled, an act to amend the road law in Pendleton county, approved February 25, 1851.

An act for the benefit of H. Woodyard, late sheriff of Grant county.

An act to amend an act, entitled, an act to amend the revenue laws, approved February 10, 1845.

With an amendment to the last named bill.

That they had concurred in a resolution from this House in reference to a removal of the Seat of Government, with an amendment.

That they had passed bills of the following titles, viz:

An act supplemental to an act, entitled, an act to amend an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850, and for other purposes.

An act requiring the Mercer Circuit Court to index and cross index certain record books.



An act to allow a Police Judge and Town Marshal to the town of Cornishville, in Mercer county.

An act declaring the Somerset Gazette an authorized newspaper.

An act to establish and incorporate the town of Bloomington, in Franklin county.

An act to incorporate the Louisville, Six Mile and Covington Railroad Company.

An act for the benefit of school district No. 29, in Owen county.

An act for the benefit of school districts Nos. 28 and 29, in Mercer county.

An act establishing additional voting places in Kenton and Campbell counties.

An act to incorporate the Franklin Female Institute.

An act allowing public arms to the Kentucky Military Institute and Western Military Institute.

Mr. Helm read and laid on the table the following resolution, viz:

Whereas, the Secretary of the Interior of the United States having failed to furnish to the executive of this state "a certificate, under his seal of office, of the number of members of congress apportioned to this state under the last enumeration," in conformity to the act of congress, approved May 23, 1850; and as doubts exist as to the power of this legislature to lay off the state into congressional districts without such official information—therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the present congressional districts, as laid off and adopted by an act of the general assembly of the commonwealth of Kentucky, approved March 9, 1843, be and the same are hereby adopted and continued as the congressional districts of this state, unless it shall appear, upon the receipt of such official information, that the number of congressmen to which this state is entitled, is more or less than when this state was last laid off into congressional districts.

Mr. Park read and laid on the table the following resolution, viz:

Whereas, it is now evident to both whigs and democrats that this general assembly cannot get through with the indispensable business of this session within the time prescribed by the constitution: and, whereas, many members will be compelled to go home during the week of Christmas, and that, in the opinion of this legislature, little or no business can, or will be done during the holydays:

*Be it resolved,* That the general assembly will take a recess on Monday, the 22d instant, to meet again on the 5th of January, 1852.

Mr. Bates moved the following resolution, viz:

*Resolved,* That this House hereafter will meet at 9 o'clock, and continue in session until 1 o'clock; take a recess until 3 o'clock, P. M., and continue in session until 5 o'clock, P. M., during the residue of the session.

On motion of Mr. Wintersmith, said resolution was amended to read as follows, viz:

*Resolved*, That this House hereafter will continue in session until 1 o'clock, P. M., and take a recess until 3 o'clock, P. M., during the residue of the session.

Which, as amended, was adopted.

Leave was given to bring in the following bills, viz :

On motion of Mr. Baker—1. A bill to incorporate Union Division, No. 210, Sons of Temperance, in Adair county.

On motion of Mr. Barlow—2. A bill to authorize the County Court of Allen to re-arrange and lay off said county into civil districts and election precincts, and to establish an additional election precinct.

On motion of Mr. Bailey—3. A bill for the benefit of the Sheriff of Bath county.

On motion of Mr. Canby—4. A bill to change the line of a justices' district in Boone county.

On motion of Mr. Keith—5. A bill to authorize the County Court of Bracken to discontinue the state road from Augusta to Brookville.

On motion of same—6. A bill allowing certain privileges to the Dutch Ridge Turnpike Road Company, in Bracken county.

On motion of same—7. A bill to amend the charter of the Augusta, Cynthiana, and Georgetown Turnpike Road Company.

On motion of Mr. Elms—8. A bill to amend the law allowing full pay for slaves executed.

On motion of Mr. Mitchusson—9. A bill for the benefit of the Sheriff of Caldwell county.

On motion of Mr. Helm—10. A bill for the benefit of the Sheriff of Campbell county.

On motion of Mr. J. J. Thomas—11. A bill to repeal the law in relation to the fees for collecting the county levy in Christian county.

On motion of same—12. A bill better to protect the rights of slaveholders.

On motion of Mr. Williams—13. A bill requiring in special taxation that a majority of all the qualified voters shall be necessary to authorize the tax.

On motion of Mr. Ford—14. A bill regulating school districts in Crittenden county.

On motion of Mr. Cosby—15. A bill to change the time of holding the County Courts in Daviess county.

On motion of same—16. A bill to change the mode of working roads in Daviess county.

On motion of Mr. Monroe—17. A bill for the benefit of certain school districts in Franklin county.

On motion of Mr. Lindsay—18. A bill for the benefit of the Sheriff of Grant county.

On motion of same—19. A bill to incorporate Crittenden Division, No. 17, Sons of Temperance, in the town of Crittenden.

On motion of same—20. A bill to incorporate Union Division, No. 42, Sons of Temperance, in the county of Grant.

On motion of Mr. Boyd—21. A bill to incorporate the Cynthiana Female Academy.

On motion of Mr. G. Green—22. A bill to authorize certain counties to subscribe stock in the Henderson and Nashville Railroad Company.

On motion of Mr. Walton—23. A bill to authorize the Judge of the Hart County Court to hold a July term.

On motion of same—24. A bill to repeal an act, entitled, an act to amend the common school law, approved March 3, 1851.

On motion of Mr. Cox—25. A bill to authorize the county of Henry to subscribe to the stock of the Louisville and Covington Railroad Company.

On motion of Mr. Wilmore—26. A bill to incorporate Union Lodge, No. 10, I. O. O. F.

On motion of Mr. Carlisle—27. A bill to amend the charter of the Covington and Lexington Railroad Company.

On motion of Mr. Keith—28. A bill to create a special chancery term in Mason county.

On motion of Mr. Bullitt—29. A bill to amend the charter of the city of Louisville.

On motion of same—30. A bill to amend the mechanics' lien law applicable to the city of Louisville.

On motion of same—31. A bill to incorporate Woolford Encampment, I. O. O. F.

On motion of Mr. Haley—32. A bill for the benefit of James McNeal, of Laurel county.

On motion of same—33. A bill to charter the Mount Vernon and Crab Orchard Plank Road Company.

On motion of Mr. Trimble—34. A bill to amend an act, entitled, an act giving to officers, crews, mechanics, and others, a lien on steamboats.

On motion of Mr. Triplett—35. A bill to close up certain streets and alleys in Westport, Oldham county.

On motion of same—36. A bill for the benefit of the late Sheriff of Oldham county.

On motion of Mr. Sallee—37. A bill to charter a railroad from Danville by Somerset, to intersect the railroad at or near Knoxville.



On motion of Mr. Webster—38. A bill for the benefit of Mary Hash, of Taylor county.

On motion of Mr. Seabee—39. A bill for the benefit of the Sheriff of Todd county.

On motion of Mr. Marshall—40. A bill amendatory of the various charters incorporating turnpike roads which pass through the county of Woodford.

On motion of same—41. A bill to amend the charter of the Versailles and Nicholasville Turnpike Road Company.

On motion of same—42. A bill to regulate the mode of reporting the decisions of the Court of Appeals.

*Ordered*, That Messrs. Baker, Burnett, and Webster, prepare and bring in the 1st; Messrs. Barlow, J. H. Lewis, and Bates, the 2d; the committee on Ways and Means, the 3d and 39th; the committee on County Courts, the 4th, 5th, and 23d; the committee on Internal Improvement, the 6th, 7th, 33d, 40th, and 41st; Messrs. Elms, Bates, and Williams, the 8th; Messrs. Mitchusson, Willingham, and Bates, the 9th; the committee on the Judiciary, the 10th, 13th, 21st, 22d, 26th, 35th, 36th, 37th, and 42d; Messrs. J. J. Thomas, Seabee, and Golladay, the 11th and 12th; the committee on Education, the 14th, 17th, and 24th; Messrs. Cosby, G. Green, and Dodds, the 15th and 16th; Messrs. Lindsay, Landrum, and B. F. Hume, the 18th and 20th; Messrs. N. Green, S. M. Moore, Triplett, Calvert, and Cox, the 25th; the committee on Propositions and Grievances, the 27th; the committee on Circuit Courts, the 28th; Messrs. Bullitt, Craig, and Bryan, the 29th; Messrs. Bullitt, Craig, and Williams, the 30th; Messrs. Bullitt, Musselman, and Craig, the 31st; Messrs. Haley, Dodds, and Tye, the 32d; Messrs. Trimble, Bullitt, and Craig, the 34th; Messrs. Lindsay, Landrum, and Carlisle, the 19th; and Messrs. Webster, Jones, and Bates, the 38th.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Baker—1. A bill further to provide for the collection of tolls on Muldrow's hill.

By Mr. Bailey—2. A bill for the benefit of William Richards, of Bath county.

By Mr. J. H. Thomas—3. A bill to establish an April and July term of the Breckinridge County Court.

By Mr. Elms—4. A bill for the benefit of James E. Gardner, of Butler county.

By Mr. Troutman—5. A bill to amend the law regulating tolls on turnpike roads.

By Mr. Cox—6. A bill for the benefit of the Sheriff of Owen county.

By Mr. Williams—7. A bill to incorporate the town of Kiddville, in Clarke county.

By Mr. Winfrey—8. A bill for the benefit of Gholson Wisdom.

By same—9. A bill to amend the road laws.

By Mr. Monroe—10. A bill to incorporate the Frankfort Woolen Company.

By Mr. Landrum—11. A bill incorporating the Napoleon and Big Bone Lick Turnpike Road Company.

By the committee on the Judiciary—12. A bill to incorporate certain turnpike companies in the county of Garrard.

By Mr. Willingham—13. A bill to amend an act, entitled, an act to fix the time of holding the circuit courts of this commonwealth.

By Mr. Sterett—14. A bill to authorize common school commissioners to change or form new districts.

By Mr. Samuels—15. A bill to extend the town limits of Shepherdsville.

By Mr. Hundley—16. A bill to change the place of voting from the house of Sarah Bates to the mouth of Mill Stone, in Letcher county.

By Mr. Johnson—17. A bill to amend the law in relation to working the public highways in the county of Mason.

By same—18. A bill to incorporate Minerva Division, No. 64, Sons of Temperance.

By Mr. Keith—19. A bill to incorporate the Maysville and Blue Run Plank or Turnpike Road Company.

By Mr. Bullitt—20. A bill to amend an act, entitled, an act to charter the city of Louisville, approved March 24, 1851.

By same—21. A bill to amend an act to incorporate the Cook Benevolent Institution.

By Mr. Trimble—22. A bill to incorporate the New Orleans and Ohio Railroad Company.

By Mr. McNary—23. A bill to incorporate the Presbyterial Academy of Greenville.

By the committee on Circuit Courts—24. A bill to amend an act, entitled, an act to amend an act, entitled, an act to incorporate the town of Shelbyville, approved March 24, 1851.

By Mr. Webster—25. A bill for the benefit of the Sheriffs of Taylor and Cumberland counties.

By same—26. A bill to amend an act to incorporate the Henderson and Nashville Railroad Company, approved March 4, 1850.

By Mr. Sebree—27. A bill to define the boundary lines of Todd county.

By same—28. A bill to establish the Parochial School of Elkton, Todd county.

By Mr. Shepperd—29. A bill to incorporate Wayne Division, No. 176, Sons of Temperance.

By same—30. A bill repealing the law requiring the Wayne County Court to erect and keep a stray pound.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 11th, 22d, and 26th, were referred to the committee on Internal Improvement; the 2d, 3d, 7th, 10th, 13th, 15th, 16th, 17th, 18th, 19th, 23d, 24th, 25th, 27th, 28th, 29th, and 30th, were severally ordered to be engrossed and read a third time; the 5th, and 9th were referred to the committee on Revised Statutes; the 6th to the committee on Ways and Means; the 8th, 12th, 20th, and 21st, to the committee on the Judiciary; and the 14th to the committee on Education.

The rule of the House, constitutional provision, and third reading of the 2d, 3d, 7th, 10th, 13th, 15th, 16th, 17th, 18th, 19th, 23d, 24th, 25th, 27th, 28th, 29th, and 30th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of common school districts in this commonwealth, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Willingham and Mitchusson, were as follows, viz :

Those who voted in the affirmative, were

William C. Anderson,	John J. Haley,	Andrew Monroe,
William Bailey,	Samuel Hatfield,	Barnett C. Moran,
Solomon Baker,	Charles J. Helm,	Robert O. Morgan,
James P. Bates,	Alvin Herndon,	Samuel M. Moore,
John S. Boyd,	Thomas Hagins,	William F. Moore,
Curtis F. Burnam,	John B. Holladay,	Thomas J. Nash,
Isaac Burnett,	Alvin M. Hume,	Micajah Oglesby,
James L. Caldwell,	Benjamin F. Hume,	John J. Park,
John Calvert,	James H. Hundley,	Joel W. Sallee,
Charles G. C. Canby,	William G. Jackson,	William T. Samuels,
Robert M. Carlisle,	John G. James,	Elijah G. Seabee,



A. D. Cosby,  
 Edwin S. Craig,  
 Jonathan Davis,  
 Francis U. Dodds,  
 Ellis Duncan,  
 James Edelin,  
 Price Edrington,  
 David Elms,  
 Christian Engleman,  
 Elisha S. Fitch,  
 Francis Ford,  
 Thomas R. Givens,  
 Jacob S. Golladay,  
 William C. Grier,  
 David Griggs,  
 Grant Green,

Henry S. Johnson,  
 Alfred M. Jones,  
 John A. Keith,  
 Benjamin H. Kerrick,  
 John B. Laffoon,  
 John J. Landrum,  
 Joseph H. Lewis,  
 Robert G. Lewis,  
 Opie J. Lindsay,  
 Thomas F. Marshall,  
 Henry D. McHenry,  
 George R. McKee,  
 William McMillan,  
 William C. McNary,  
 Strother D. Mitchell,  
 Elijah S. Mitchusson,

Isaac N. Shepperd,  
 Green Sterett,  
 Napoleon B. Stone,  
 John J. Thomas,  
 Joshua H. Thomas,  
 Lawrence S. Trimble,  
 Thornton Triplett,  
 Francis Troutman,  
 Drury Tye,  
 William C. Webster,  
 John S. Williams,  
 Alex. H. Willingham,  
 James C. Wilmore,  
 Francis H. Winfrey,  
 Chas. G. Wintersmith—80.

Those who voted in the negative, were

Joseph H. Barlow,  
 Charles M. Briggs,

James C. Sprigg,

Claiborne J. Walton—4.

*Resolved*, That the title of said bill be as aforesaid.

Mr. McKee, from select the committee appointed to prepare and bring in the same, reported a bill to remove the Seat of Government from the city of Frankfort to the city of Louisville, which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the seat of government shall be removed from the city of Frankfort to the city of Louisville; and hereafter the sessions of the general assembly of the commonwealth of Kentucky shall be held in Louisville.

§ 2. That antecedent to said removal, the secretary of state shall first receive from the city of Louisville a clear and indefeasible title from the city, conveying to the commonwealth of Kentucky on or before the 1st of June, 1852, the court house square in the city of Louisville, with the public buildings thereon, to be held by the commonwealth of Kentucky so long as the seat of government shall remain at Louisville.

§ 3. That the city of Louisville shall cause appropriate apartments in said building to be prepared for the house of representatives, the senate, the library, and the various public offices, and shall cause the sum of \$75,000 to be expended therefor in such manner as may be ordered by a board, composed of the governor, the secretary of state, and the auditor, or agents appointed by it.

§ 4. That after said board are satisfied the public buildings are appropriately prepared, they shall do all acts necessary for the removal of the archives and movable public property, records, books, and papers, to the new seat of government.

§ 5. That after the removal aforesaid, the governor shall issue his proclamation, informing the public of the fact.

§ 6. That before the removal the city of Louisville shall provide a suitable mansion for the governor, worth not less than \$15,000, and cause the same to be conveyed to the commonwealth in the same manner and on the same terms that the court house shall be conveyed.

§ 7. That the said board, after the city shall have complied with the requisitions of this act, shall do all other necessary acts for the effecting the removal of the seat of government.

*Ordered*, That said bill be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Burnam moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Canby and W. F. Moore, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Benjamin F. Hume,	Elijah S. Mitchusson,
William Bailey,	James H. Hundley,	Andrew Monroe,
Charles M. Briggs,	William G. Jackson,	Barnett C. Moran,
Curtis F. Burnam,	Henry S. Johnson,	Samuel M. Moore,
James L. Caldwell,	Alfred M. Jones,	Isaac N. Shepperd,
John Calvert,	John J. Landrum,	James C. Sprigg,
Charles G. C. Canby,	Robert G. Lewis,	Green Sterett,
Robert M. Carlisle,	Opie J. Lindsay,	John J. Thomas,
A. D. Cosby,	Thomas F. Marshall,	Francis Troutman,
John J. Haley,	Henry D. McHenry,	Drury Tye,
Samuel Hatfield,	William McMillan,	John S. Williams,
Alvin Herndon,	William C. McNary,	James C. Wilmore,
Thomas Hagins,	Strother D. Mitchell,	Chas. G. Wintersmith—40.
Alvin M. Hume,		

Those who voted in the negative, were

William C. Anderson,	Francis Ford,	William F. Moore,
Joseph H. Barlow,	Thomas R. Givens,	Thomas J. Nash,
James P. Bates,	Jacob S. Golladay,	Micajah Oglesby,
Joshua F. Bullitt,	William C. Grier,	John J. Park,
Isaac Burnett,	David Griggs,	Joel W. Sallee,
Hezekiah Cox,	Grant Green,	William T. Samuels,
Edwin S. Craig,	Charles J. Helm,	Elijah G. Seabee,
Jonathan Davis,	John B. Holladay,	Napoleon B. Stone,
Francis U. Dodds,	John G. James,	Joshua H. Thomas,
Ellis Duncan,	John A. Keith,	Lawrence S. Trimble,
James Edelin,	Benjamin H. Kerrick,	Thornton Triplett,
Price Edrington,	John B. Laffoon,	Claiborne J. Walton,
David Elms,	Joseph H. Lewis,	William C. Webster,
Christian Engleman,	George R. McKee,	Alex. H. Willingham,
Elisha S. Fitch,	Robert O. Morgan,	Francis H. Winfrey—45.

On motion of Mr. Webster,

*Ordered*, That said bill be referred to Messrs. Webster, McKee, Anderson, James, and S. M. Moore.

An engrossed bill, entitled, an act to provide for the purchase of Milne and Bruder's map of Kentucky, was read the third time, as follows, viz :

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the sum of five hundred and forty-five dollars be, and the same is hereby appropriated to the purchase of one hundred and nine copies of Milne and Bruder's new map of the state of Kentucky, to be delivered by the said Milne and Bruder at the office of the secretary of state, who shall distribute one map to each of the county court clerks in the state, to be kept in his office for the use and benefit of the county; one to be delivered to and kept in each of the offices of state; two to be hung in the hall of the house of representatives; two in the senate chamber, and one in the state library. Upon the delivery of the said maps to the secretary, he shall receipt for the same to Milne and Bruder; and upon the presentation of his receipt to the auditor, he shall draw his warrant on the treasurer for the above sum of money, to be paid out of any money's not otherwise appropriated.

And the question being taken on the passage of said bill, it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Elisha S. Fitch,	Thomas F. Marshall,
William Bailey,	David Griggs,	Henry D. McHenry,
Charles M. Briggs,	Grant Green,	William C. McNary,
Joshua F. Bullitt,	Alvin Herndon,	Strother D. Mitchell,
Curtis F. Burnam,	William G. Jackson,	Andrew Monroe,
Isaac Burnett,	Henry S. Johnson,	Barnett C. Moran,
James L. Caldwell,	John A. Keith,	William T. Samuels,
Charles G. C. Canby,	Benjamin H. Kerrick,	Francis Troutman,
Edwin S. Craig,	Joseph H. Lewis,	Claiborne J. Walton,
Ellis Duncan,	Robert G. Lewis,	Chas. G. Wintersmith—31.
Christian Engleman,		

Those who voted in the negative, were

William C. Anderson,	Thomas R. Harman,	Thomas J. Nash,
Joseph H. Barlow,	Charles J. Helm,	Micajah Oglesby,
James P. Bates,	Thomas Hagins,	Joel W. Sallee,
John S. Boyd,	John B. Holladay,	Elijah G. Seabee,
John Calvert,	Alvin M. Hume,	Isaac N. Shepperd,
Robert M. Carlisle,	Benjamin F. Hume,	James C. Sprigg,
A. D. Cosby,	James H. Hundley,	Green Sterett,
Hezekiah Cox,	John G. James,	Napoleon B. Stone,
Jonathan Davis,	Alfred M. Jenes,	John J. Thomas,
Francis U. Dodds,	John B. Laffoon,	Joshua H. Thomas,
James Edelin,	John J. Landrum,	Lawrence S. Trimble,
Price Edrington,	Opie J. Lindsay,	Thornton Triplett,
David Elms,	William McMillan,	Drury Tye,
Francis Ford,	Elijah S. Mitchusson,	William C. Webster,
Thomas R. Givens,	Robert O. Morgan,	Alex. H. Willingham,
Jacob S. Golladay,	Samuel M. Moore,	James C. Wilmore,
William C. Grier,	William F. Moore,	Francis H. Winfrey—52.
John J. Haley,		



Mr. Willingham, from the committee appointed to prepare and bring in the same, reported a bill to change the the time of meeting of the General Assembly, which was read the first time, as follows, viz :

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That hereafter the stated biennial meeting of the general assembly of Kentucky shall commence on the last day of December, except when said last day may be on Sunday, and then the same shall commence on the day preceeding.

*Ordered,* That said bill be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. S. M. Moore and Willingham, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	David Griggs,	Elijah S. Mitchusson,
William C. Anderson,	Grant Green,	Barnett C. Moran,
William Bailey,	John J. Haley,	Robert O. Morgan,
John S. Boyd,	Thomas R. Harman,	William F. Moore,
Charles M. Briggs,	Charles J. Helm,	Thomas J. Nash,
Joshua F. Bullitt,	Thomas Hagins,	Micajah Oglesby,
Curtis F. Burnam,	Alvin M. Hume,	John J. Park,
Isaac Burnett,	Benjamin F. Hume,	Joel W. Sallee,
James L. Caldwell,	William G. Jackson,	William T. Samuels,
John Calvert,	John G. James,	Elijah G. Seabee,
Charles G. C. Canby,	Henry S. Johnson,	James C. Sprigg,
Robert M. Carlisle,	Alfred M. Jones,	Green Sterett,
A. D. Cosby,	John A. Keith,	John J. Thomas,
Hezekiah Cox,	Benjamin H. Kerrick,	Joshua H. Thomas,
Edwin S. Craig,	John B. Laffoon,	Lawrence S. Trimble,
Francis U. Dodds,	John J. Landrum,	Thornton Triplett,
Ellis Duncan,	Joseph H. Lewis,	Drury Tye,
James Edelin,	Robert G. Lewis,	Claiborne J. Walton,
Price Edrington,	Opie J. Lindsay,	Alex. H. Willingham,
Christian Engleman,	Henry D. McHenry,	James C. Wilmore,
Elisha S. Fitch,	George R. McKee,	Francis H. Winfrey,
Thomas R. Givens,	William C. McNary,	Chas. G. Wintersmith—68.
William C. Grier,	Strother D. Mitchell,	

Those who voted in the negative, were

Joseph H. Barlow,	James H. Hundley,	Isaac N. Shepperd,
James P. Bates,	Thomas F. Marshall,	Napoleon B. Stone,
Jonathan Davis,	William McMillan,	Francis Troutman,
David Elms,	Andrew Monroe,	William C. Webster,
Jacob S. Golladay,	Samuel M. Moore,	John S. Williams—16.
Alvin Herndon,		

*Resolved,* That the title of said bill be as aforesaid.

Mr. Edelin, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of the proprietors of Medecinal Springs, in Grayson county, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The said bill was then amended.

*Ordered*, That said bill, as amended, be laid on the table.

Mr. Grier, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of the peddlers of this commonwealth, which was read the first time.

And the question being taken on ordering said bill to be read a second time, it was decided in the negative; and so the said bill was rejected.

Mr. Boyd moved a reconsideration of the vote rejecting the bill to incorporate the Nashville and Cincinnati Railroad Company.

And the question being taken thereon, it was decided in the affirmative.

Mr. J. H. Lewis then moved a reconsideration of the vote ordering the previous question on said bill.

And the question being taken thereon, it was decided in the affirmative.

*Ordered*, That said bill be referred to the committee on Internal Improvement.

Mr. S. M. Moore, from the committee appointed to prepare and bring in the same, reported a bill to fix the time of holding the circuit courts in the 8th judicial district, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

On motion of Mr. S. M. Moore,

*Ordered*, That said bill be engrossed, and have its third reading on Wednesday next at 10 o'clock, A. M.

*Ordered*, That the bill to establish the county of Powell be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Saltee moved the following resolution, viz:

*Resolved*, That any member absenting himself from this house without leave, unless sick or otherwise disabled, be fined five dollars for each day he is absent, unless two-thirds of all the members of this house excuse

him; and it shall be the duty of the clerk to call the roll each day at 11 o'clock, and charge the delinquent member accordingly.

Mr. Winfrey moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sallee and Edelin, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker (Robertson,)	David Griggs,	William C. McNary,
William Bailey,	Grant Green,	Strother D. Mitchell,
Solomon Baker,	Alvin Herndon,	Andrew Monroe,
Joseph H. Barlow,	John B. Holladay,	Robert O. Morgan,
James P. Bates,	William G. Jackson,	John J. Park,
John S. Boyd,	John G. James,	Elijah G. Seabee,
Charles M. Briggs,	Henry S. Johnson,	Thornton Triplett,
Joshua F. Bullitt,	Alfred M. Jones,	Francis Troutman,
Curtis F. Burnam,	John A. Keith,	Drury Tye,
Isaac Burnett,	Benjamin H. Kerrick,	Claiborne J. Walton,
A. D. Cosby,	Joseph H. Lewis,	James C. Wilmore,
Hezekiah Cox,	Robert G. Lewis,	Francis H. Winfrey,
Elisha S. Fitch,	Opie J. Lindsay,	Chas. G. Wintersmith—40.
Jacob S. Golladay,		

Those who voted in the negative, were

William C. Anderson,	William C. Grier,	Elijah S. Mitchusson,
John Calvert,	Samuel Hatfield,	Samuel M. Moore,
Charles G. C. Canby,	Thomas Hagins,	Thomas J. Nash,
Robert M. Carlisle,	Alvin M. Hume,	Micajah Oglesby,
Jonathan Davis,	Benjamin F. Hume,	Joel W. Sallee,
Francis U. Dodds,	James H. Hundley,	Isaac N. Shepperd,
James Edelin,	John B. Laffoon,	James C. Sprigg,
Price Edrington,	John J. Landrum,	Green Sterett,
David Elms,	Thomas F. Marshall,	Joshua H. Thomas,
Christian Engleman,	Henry D. McHenry,	John S. Williams,
Francis Ford,	William McMillan,	Alex. H. Willingham—33.

The House then took up the resolution read and laid on the table by Mr. Wintersmith on the 16th inst.

*Ordered*, That the further consideration of said resolution be postponed until 3 o'clock on Monday next.

And then the House adjourned.



MONDAY, DECEMBER 22, 1851.

1. Mr. Burnam presented the petition of the trustees of the town of Richmond, praying an amendment to their charter.

2. Mr. Helm presented the petition of the city council of Newport, praying permission be allowed them to borrow money.

3. Mr. Engleman presented the remonstrance of sundry citizens of Crab Orchard, against the repeal of the charter of said town.

4. Mr. Duncan presented the petition of the Clerk of the Nelson County Court, in relation to a general index in his office.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the committee on the Judiciary; the 2d to the committee on Propositions and Grievances; and the 4th to the committee on County Courts.

Mr. Winfrey, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Barren, Adair, Green, and Cumberland counties, praying the formation of a new county, reported the same with the following resolution, viz:

*Resolved*, That said petition be rejected.

Mr. Bates moved to amend said resolution, by striking out the word "rejected," and inserting the word "reasonable."

Mr. McKee moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act for the benefit of the Kentucky School of Medicine.

An act for the benefit of William Alexander.

An act for the benefit of William Meridith.

An act making additional voting places in districts Nos. 3 and 7, and changing the place of voting in district No. 4, in Greenup county.

An act to give additional power to the Madison County Court.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act to incorporate Mills Point Lodge, No. 120, of Free and Accepted Masons.

An act to create an additional Constable's and Justices' district in Hickman county.

An act to authorize the county of Graves to hold railroad stock.

An act for the benefit of Monroe county.

An act to add the residence of George Spegall, in Pendleton county, to the county of Kenton.

An act calling a convention in the city of Newport.

An act authorizing the County Court of Russell to levy an additional tax on said county.

An act authorizing the Russell County Court to sell clerk's office furniture.

An act to establish an election precinct in Keysburg, in Logan county.

And had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act for the benefit of certain school districts in Barren and Monroe counties.

An act to amend an act to encourage the general diffusion of education.

An act declaring the Open Fork of Paint creek, and Abbott's creek navigable streams.

An act for the benefit of the Owenton and Ross' Mill Turnpike Road Company.

An act to amend an act, entitled, an act to regulate the retailing of ardent spirits.

An act in relation to the records of the Jefferson County Court.

An act allowing a special term of the Fleming County Court.

An act to incorporate the Polish House of Israel.

An act to re-establish and re-mark corners of the sectionized lands west of the Tennessee river.

A resolution adding Thomas J. Smith and Samuel Hatfield to the joint committee on Banks.

A resolution requiring the committee on the Judiciary, in the Senate, and the committee on the Revised Statuts, in the House of Representatives, to act as a joint committee on the Revised Statutes.

Approved December 13, 1851.

An act to amend an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850.

Approved December 15, 1851.

Mr. Winfrey, from the committee on Propositions and Grievances, to whom was referred a bill changing part of the line between Shelby and Oldham counties, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Winfrey, from the same committee, to whom was referred the petition of sundry citizens of Christian and Scott counties, praying the passage of a law in relation to the traffic in ardent spirits, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That leave of absence be granted to Messrs. Winfrey and Baker, indefinitely.

Mr. Carlisle, from the same committee, to whom was referred bills from the Senate, of the following titles, viz :

An act to re-establish a portion of the line between the counties of Hickman and Graves.

An act to establish the line between the counties of Knox and Clay.

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Anderson, from the committee on Claims, to whom was referred the petition of Larkin Harned, reported the same with the following resolution, viz :

*Resolved*, That said petition be rejected.

Which was concurred in.

Mr. Anderson, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of John Betts, jailer of Fulton county, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to amend an act to incorporate the Lexington and Danville Railroad Company, approved March 5, 1850, reported the same with amendments.

*Ordered*, That said bill and amendments be made the special order of the day for to-morrow, at 11 o'clock, A. M.

Mr. Bates, from the committee on County Courts, to whom was referred bills from the Senate, of the following titles, viz :



An act to regulate the times for holding the courts of Justices of the Peace.

An act to change the time of holding the Perry county and quarterly courts.

An act changing the time of holding the quarterly courts of the County Judge of Henry.

An act to change the time of holding the Johnson quarterly and county courts.

An act concerning the Court of Claims in Shelby county.

An act allowing an additional Magistrates' and Constable's district in Morgan county.

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by Mr. MERIWETHER, Secretary of State, which is as follows, viz :

EXECUTIVE DEPARTMENT,  
December 22, 1851. }

*Gentlemen of the House of Representatives :*

A bill, entitled, "an act for the benefit of George Emmick," has been presented to me for my approval. The bill enacts that Emmick be released from all the pains and penalties of an act, entitled, an act to amend the law to prohibit the importation of slaves into this state. The fact stated in the preamble to the bill show that Emmick had incurred the penalty of the act referred to, for which he was liable to be fined, and on failure of payment, to be imprisoned. An act of the legislature, releasing him from such penalties and liabilities, is a remission of the forfeiture which had been incurred for violating the law.

The constitution confers upon the governor the exclusive power to remit fines and forfeitures. The 10th section of the 3d article of the constitution declares that "he (the governor) shall have power to remit " fines and forfeitures, grant reprieves and pardons, except in cases of " impeachment. In cases of treason, he shall have power to grant reprieves until the end of the next session of the general assembly, in " which the power of pardoning shall be vested ; but he shall have no " power to remit the fees of the clerk, sheriff, or commonwealth's attorney, in penal or criminal cases."

The first and second sections of the first article of the constitution are as follows :

" § 1. The powers of the government of the state of Kentucky shall be " divided into three distinct departments, and each of them be confided " to a separate body of magistracy, to-wit : those which are legislative, to

"one; those which are executive, to another; and those which are Judiciary, to another.

"§ 2. No person, or collection of persons, being of one of those departments, shall exercise any power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted."

There is no clause in the constitution which indicates that the framers of that instrument intended to give to the legislature and the executive concurrent power to remit fines and forfeitures. That instrument confers upon the executive alone that prerogative.

The court of appeals, in the case of *Routt against Feemster*—7, J. J. Marshall, 132—speaking of the power of the governor, says: "This part of his prerogative cannot be curtailed. With the exception of the case of treason, his power to remit fines and forfeitures, grant reprieves and pardons, is unlimited, illimitable, and uncontrollable." The decision referred to was made under the old constitution; but the clauses of the constitution above quoted are identically the same as those contained in the old constitution, with the exception that the constitution prohibits the governor from remitting the fees of clerks, sheriffs, or commonwealth's attorneys, in penal or criminal cases, which prohibition is not contained in the old constitution.

The powers of the government are divided into three separate and distinct departments; and it is ordained in the constitution that the powers vested in one department shall not be exercised by either of the others, except upon express grant. Each department of the government is intended as a check upon the others; and to protect and secure the rights and liberties of the people, it is necessary that each co-ordinate department should exercise the powers conferred by the constitution, and one department should not be permitted to encroach upon, or exercise powers delegated to, and conferred upon another. It is a great and leading principle in the constitution of the United States, and in the constitutions of the states of this Union, that the various departments of the government should be kept separate, distinct, and independent of each other; and upon keeping these pre-eminently wise divisions of power clearly marked, separate, and distinct, and not allowing one department to encroach upon the other, depend in a great measure the protection and security of the rights and liberties of our people—and in the constitution of no state in the Union is that necessary division of power more clearly and distinctly defined than in the constitution of Kentucky.

The general assembly, in the passage of this bill, exercised a power not warranted by the constitution, and assumed the exercise of a prerogative vested by the fundamental law exclusively in a co-ordinate department of the government. Having a high regard for the general assembly, I regret that a sense of duty compels me to differ from a body so enlightened, and to withhold my approval and signature from the bill, and to return it to the house of representatives, in which it originated, with my objections to its becoming a law. L. W. POWELL.

*Ordered*, That the further consideration of said message be postponed till Monday next.

Mr. Bates, from the committee on County Courts, to whom was referred a bill from the Senate, entitled, an act to change the time of holding the Logan county, quarterly courts, reported the same with amendments, which were concurred in.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bates, from the same committee, to whom was referred a bill from the Senate, entitled, an act to change the time of electing Justices of the Peace and Constables, reported the same without amendment.

On motion of Mr. McKee,

*Ordered*, That said bill be laid on the table.

Mr. Wintersmith, from the committee on Revised Statutes, to whom was referred the petition of sundry citizens of Barren county, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said petition be referred to the committee on the Code of Practice.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Propositions and Grievances—1. A bill relating to the poll tax in Campbell county.

By same—2. A bill to change the line of a voting district in Logan county, and a Justices' district in Boone county.

By same—3. A bill to change the county line between the counties of Grant and Kenton.

By the committee on Privileges and Elections—4. A bill to change the voting place in district No. —, in Franklin county.

By same—5. A bill to change the voting place in district No. 4, in Henderson county.

By same—6. A bill to change the line between districts Nos. 1 and 2, in Lincoln county.

By the committee on the Judiciary—7. A bill for the benefit of the keepers of livery stables.

By the committee on Revised Statutes—8. A bill to provide a compensation for the presiding judge of the county court.

By Mr. Barlow—9. A bill to authorize the County Court of Allen to re-district election precincts, and establish one additional Justices' district and election precinct in said county.



Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of the 1st, 2d, 3d, 5th, 6th, 7th, 8th, and 9th bills having been dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 5th, 6th, 7th, 8th, and 9th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Burnett, from the committee on Ways and Means, reported a bill to provide for the completion of the Second Kentucky Lunatic Asylum, which was read the first time, as follows, viz :

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in addition to the appropriations heretofore made for the erection of the Second Kentucky Lunatic Asylum, there is hereby appropriated the sum of twenty-one thousand five hundred dollars, to be paid in two semi-annual payments in the year 1852; and the sum of twenty-one thousand five hundred dollars to be paid in like manner in the year 1853, out of any money in the treasury not otherwise appropriated; and the auditor is directed to issue his warrant on the treasurer for the same, on the application of the commissioners appointed under the provisions of the second and eighth sections of an act, approved the 28th February, 1848, concerning said asylum: *Provided, however*, that should there be any unappropriated money in the treasury the two last installments of the appropriation hereby made may be paid at an earlier day than is specified above.

*Ordered*, That said bill be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	David Griggs,	Andrew Monroe,
Granville C. Alfred,	Grant Green,	Barnett C. Moran,
William Bailey,	Samuel Hatfield,	Robert O. Morgan,
James P. Bates,	Charles J. Helm,	Samuel M. Moore,
John S. Boyd,	Alvin Herndon,	William F. Moore,
Charles M. Briggs,	John B. Holladay,	Birch Musselman,
A. H. Bryan,	Alvin M. Hume,	Thomas J. Nash,
Joshua F. Bullitt,	Benjamin F. Hume,	Micajah Oglesby,
Curtis F. Burnam,	John G. James,	Elijah G. Sebree,
Isaac Burnett,	Henry S. Johnson,	James C. Sprigg,

James L. Caldwell,	Alfred M. Jones,	Green Sterett,
Charles G. C. Canby,	John A. Keith,	Napoleon B. Stone,
Willis S. Chaplin,	Benjamin H. Kerrick,	John J. Thomas,
Hezekiah Cox,	John B. Laffoon,	Joshua H. Thomas,
Edwin S. Craig,	Joseph H. Lewis,	Thornton Triplett,
Francis U. Dodds,	Robert G. Lewis,	Francis Troutman,
James Edelin,	Opie J. Lindsay,	Claiborne J. Walton,
Christian Engleman,	Thomas F. Marshall,	William C. Webster,
Elisha S. Fitch,	Henry D. McHenry,	John S. Williams,
Francis Ford,	George R. McKee,	Alex. H. Willingham,
John F. Gaar,	William C. McNary,	James C. Wilmore,
Thomas R. Givens,	Strother D. Mitchell,	Chas. G. Wintersmith—68.
Jacob S. Golladay,	Elijah S. Mitchusson,	

Those who voted in the negative, were

Joseph H. Barlow,	William C. Grier,	John J. Landrum,
Robert M. Carlisle,	John J. Haley,	William McMillan,
Jonathan Davis,	Thomas R. Harman,	Joel W. Sallee,
Ellis Duncan,	Thomas Hagins,	Isaac N. Shepperd,
Price Edrington,	James H. Hundley,	Drury Tye—16.
David Elms,		

*Resolved*, That the title thereof be as aforesaid.

Mr. Webster moved the following resolution, which was adopted, viz :

*Resolved*, That Mr. Patten, director of the Kentucky Institution for the Blind, be invited to give an exhibition of the attainments of his pupils in this hall this evening at 7 o'clock, and the members and senators be invited to attend.

Mr. Wintersmith, from the committee on Revised Statutes, to whom was referred a bill from the Senate, entitled, an act amendatory of an act, entitled, an act authorizing circuit courts to change venue in penal and criminal prosecutions, reported the same with an amendment.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again proceeded to the consideration of the resolution proposed by Mr. Wintersmith on the 16th inst.

Mr. Willingham moved the following as an amendment to the said resolution, viz :

And that this legislature will take a recess, which shall be only one day, and that the 25th of the present month.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Marshall and A. M. Hume, were as follows, viz :

## Those who voted in the affirmative, were

Mr. Speaker, (Robertson),	Grant Green,	Andrew Monroe,
Granville C. Alfred,	John J. Haley,	Barnett C. Moran,
William Bailey,	Thomas R. Harman,	Samuel M. Moore,
Solomon Baker,	Charles J. Helm,	William F. Moore,
Charles M. Briggs,	Alvin Herndon,	Birch Musselman,
A. H. Bryan,	Thomas Hagins,	Thomas J. Nash,
Joshua F. Bullitt,	Benjamin F. Hume,	John J. Park,
Curtis F. Burnam,	James H. Hundley,	Joel W. Sallee,
James L. Caldwell,	Garland Hurt,	James C. Sprigg,
John Calvert,	John G. James,	Green Sterett,
Charles G. C. Canby,	Alfred M. Jones,	Daniel B. Stivers,
Robert M. Carlisle,	Benjamin H. Kerrick,	John J. Thomas,
Willis S. Chaplin,	John J. Landrum,	Joshua H. Thomas,
A. D. Cosby,	Joseph H. Lewis,	Francis Troutman,
Hezekiah Cox,	Robert G. Lewis,	Drury Tye,
Edwin S. Craig,	Opie J. Lindsay,	Claiborne J. Walton,
Ellis Duncan,	Thomas F. Marshall,	William C. Webster,
James Edelin,	Henry D. McHenry,	John S. Williams,
Christian Engleman,	George R. McKee,	Alex. H. Willingham,
Elisha S. Fitch,	William C. McNary,	James C. Wilmore,
John F. Gaar,	Strother D. Mitchell,	Francis H. Winfrey,
William C. Grier,	Elijah S. Mitchusson,	Chas. G. Wintersmith—67.
David Griggs,		

## Those who voted in the negative, were

William C. Anderson,	Francis Ford,	John B. Laffoon,
Joseph H. Barlow,	Thomas R. Givens,	William McMillan,
James P. Bates,	Jacob S. Golladay,	Robert O. Morgan,
John S. Boyd,	Samuel Hatfield,	Micajah Oglesby,
Isaac Burnett,	John B. Holladay,	Elijah G. Sebree,
Jonathan Davis,	Alvin M. Hume,	Isaac N. Shepperd,
Francis U. Dodds,	Henry S. Johnson,	Napoleon B. Stone,
Price Edrington,	John A. Keith,	Thornton Triplett—25.
David Elms,		

And then the House adjourned.



TUESDAY, DECEMBER 23, 1851.

1. Mr. McNary presented the petition of B. R. Briggs, praying the privilege of erecting a mill dam across Rough creek.

2. Also, the petition of the administrator and heirs of Elisha M. Ford, deceased, praying permission to make deeds for lands sold by said Ford.

3. Mr. Monroe presented the petition of sundry citizens of Franklin county, praying the extension of the boundary of District No. 1 so as to include them.

4. Mr. J. H. Thomas presented the petition of sundry citizens of Breckinridge county, praying a change in the boundary of district No. 4, in said county.

5. Mr. Mitchusson presented the letter of Thomas Wadlington, in relation to the estate of Moses Gresham.

6. Mr. Wilmore presented the remonstrance of the president and directors of the Nicholasville turnpike road, against the removal of a turnpike gate.

7. Mr. Burnett presented the letter of Thomas Wadlington, in relation to the estate of Moses Gresham.

8. Mr. G. Green presented the petition sundry citizens of the town of Henderson, praying an extension of the limits of said town.

9. Also, the petition of W. A. Easton, praying compensation for work and labor done on Lock No. 1, on Green river.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d, 5th, 6th, and 7th, to the committee on the Judiciary; the 3d and 4th to the committee on Privileges and Elections; the 8th to the committee on Propositions and Grievances; and the 9th to the committee on Claims.

The Speaker laid before the House the report of the trustees of the Cumberland Hospital, which is as follows, viz:

*Report of the Trustees of the Cumberland Hospital to the Legislature of Kentucky, December 1, 1851.*

CUMBERLAND HOSPITAL.	Dr.	
To Thos. McCormick, for 592 weeks and one day board of patients and attention, @ \$3 50, - - - - -	\$ 2,072 50	
To same, for 134 days care and attention to six cases of Small Pox, @ \$2 per day, - - - - -	268 00	
To same, for 14 burials, (complete,) @ \$6, - - - - -	84 00	
To same, for washing 236 11-12 doz., @ 50c., - - - - -	118 46	
To same, for white washing during the year, - - - - -	10 00	
To D. B. Sanders, M. D., attending physician, his salary 1 year, - - - - -	300 00	
Amount carried forward, - - - - -	\$2,852 96	

Amount brought forward,	\$2,852 96
To Rupert, Lindenberger & Co., bill medicine,	338 77
To postage, freight, and drayage on same,	3 55
To cash paid for suett and plank,	5 25
To cash paid for brandy and medicine,	3 60
To cash paid J. L. Hodge for blankets,	8 00
To cash paid T. M. Davis' bill, sundries,	26 80
To cash paid McCrosky & Olive, sundries,	16 25
To cash paid J. L. Hodge, for $\frac{1}{2}$ doz. C. C. Chambers,	3 60
	<u>\$ 3,258 78</u>

CUMBERLAND HOSPITAL.		Cr.
By annual appropriation for 1851,	\$ 1,500 00	
By United States Treasury,	875 60	
By R. Hodge, 1 Small Pox case,	28 00	
By cash of patient who died,	4 75	
	<u>\$ 2,408 35</u>	
	<u>\$ 850 43</u>	

Leaving a balance of eight hundred and fifty dollars and forty-three cents due to Thomas McCormick, the keeper of the hospital.

An appropriation of this sum will first be necessary to pay this indebtedness; then the usual annual appropriation of fifteen hundred dollars for the year 1852, and the like sum for the year 1853, with the sums expected from the United States treasury, it is presumed will be sufficient to support the Institution for the years 1852 and 1853. As it is not expected that the Legislature will be assembled again until near the close of the year 1853, an appropriation for that year ought to be made at the present session.

There have been received during the last eleven months into the hospital one hundred and forty-nine patients, including those remaining on the first day of last January, fourteen of whom have died, several of cholera, and the balance have been discharged cured, except nine now remaining.

All of which is respectfully submitted.

WM. GORDON,  
WM. DAVIS,  
H. F. GIVEN,  
J. L. HODGE,

*Trustees Cumberland Hospital.*

*Ordered,* That said report be referred to the committee on Claims.

The Speaker laid before the House the report of the Louisville Mutual Insurance Company, which is as follows, viz:

*Report of the condition, progress, and affairs of the Kentucky and Louisville Mutual Insurance Company, up to November, 30, 1851, inclusive, viz:*

Amount insured, 1,637 policies,	\$ 4,048,907 88
Deduct amount of policies expired,	1,672,599 66
	<u>\$2,376,308 22</u>
Amount insured on merchandise, 39 policies,	\$70,660 00
Deduct amount of 39 policies discharged,	54,960 00
	<u>15,700 00</u>
	<u>\$2,392,008 22</u>
Amount of premium notes,	\$271,265 36 $\frac{3}{4}$
Deduct amount of premium notes discharged,	97,952 90 $\frac{1}{2}$
	<u>\$173,312 46<math>\frac{1}{4}</math></u>

Amount received for premium and fees for policies, - - -	\$28,044 09½	
Amount received for premium and fees for policies on merchandise, - - -	1,888 62½	
Amount received for extra premium for increased risks, - - -	600 81	
Amount received for assessment on premium notes, - - -	20,741 84	
Amount due to agent, - - -	30	
		<u>\$51,275 67</u>
Paid for expenses - - - - -	\$20,585 39	
Paid for losses, - - - - -	24,884 78	
Paid for commissions to agents, - - - - -	860 00½	
Due from agents, - - - - -	532 32½	
Cash balance, - - - - -	4,413 17	
		<u>\$51,275 67</u>

## BALANCES.

## DEBITS.

To bills receivable, - - - - -	\$126,163 52¾
To cash, - - - - -	4,413 17
To commission account, - - - - -	8,60 00½
To expense account, - - - - -	20,585 39
To profit and loss account, - - - - -	24,884 78
To agents account, - - - - -	532 32½
	<u>\$177,439 19¾</u>

## CREDITS.

By premium account, - - - - -	\$173,312 46¼
By extra premium account, - - - - -	600 81
By premium on merchandise account, - - - - -	1,849 62½
By policy account, - - - - -	1,637 62 00
By policy on merchandise account, - - - - -	39 62 00
By N. S. Andrews, agent, - - - - -	30
	<u>177,439 19¾</u>

At a meeting of the President and Directors of the Kentucky and Louisville Mutual Insurance Company, at their office in the city of Louisville, on the 4th December, 1851, the president of the Company submitted to the board a statement of the condition, progress, and affairs of said company—which being approved by the board, was adopted; and the president is directed to furnish a copy of the same to the general assembly of this state, agreeably to the requisition of the 22d section of the charter of this company.

OFFICE OF THE KY. AND LOUISVILLE MUTUAL INSURANCE COM., )  
Louisville, December 16, 1851. }

To the Speaker of the House of Delegates of the State of Kentucky:

SIR: In obedience to the requisition of the 22d section of the charter of this company, and the order of the board, I herewith transmit to you the foregoing report of the condition, progress, and affairs of this company, from the commencement of their business up to and including the 30th November last, and request that you will lay the same before the body over which you preside.

I have the honor to be, very respectfully, yours, &c.,

W. H. STOKES, Pres't.

The Speaker laid before the House a communication from the Hon. Henry Clay, which is as follows, viz:



WASHINGTON, 17th December, 1851.

*To the General Assembly of Kentucky:*

When you did me the honor to confer on me the appointment of a senator from Kentucky, which I now hold, in accepting it I did not intend or expect to serve the entire term of six years. I had previously retired finally, as I supposed, from that body. But out of the territorial acquisitions, resulting from the war with Mexico, momentous questions arose, seriously menacing the harmony and peace, if not the integrity, of the Union. I felt it to be my duty to return again to the senate, and to contribute my humble aid, by an amicable settlement of those questions, to avert the calamities with which we were threatened. Such a settlement was attempted during the last congress, is now in progress of execution, and I trust and hope will accomplish all the good that could be expected from any great measure, adopted to heal national divisions and animosities which had risen to such an alarming height.

On the approach of the present congress, it was with much hesitation, proceeding partly from my feeble state of health, that I concluded to return, for the last time, to the senate. But I have no thought of ever again taking a seat in that body, after the close of the present session. Having come to this determination, I consider it incumbent on me to place it in the power of the general assembly to appoint my successor during its present session.

I do, therefore, hereby resign the office of a senator of the United States from the state of Kentucky, this my resignation to take effect on the first Monday of September, 1852.

In dissolving this official relation, in which I stand to the general assembly, I cannot forbear renewing an expression of my great obligations, and my profound gratitude, for the many distinguished and gratifying proofs which it has given to me of its confidence and attachment.

I have the honor to be,

With the highest, respect,

Your faithful and obedient servant,

H. CLAY.

The House resumed the consideration of the bill from the Senate, entitled, an act amendatory of an act, entitled, an act authorizing circuit courts to change venue in criminal and penal prosecutions, and the amendments proposed thereto.

On motion of Mr. Burnett,

*Ordered*, That said bill and amendments be laid on the table.

A message was received from the Senate, announcing that they had adopted a resolution fixing a day for the election of a Senator in Congress.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill incorporating the Louisville locomotive works, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wintersmith moved that this House now take up the resolution from the Senate fixing a day for the election of a Senator in Congress.

*Ordered*, That Mr. Wintersmith inform the Senate thereof.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to incorporate the Newport and Maysville Railroad Company.

An act to change the time of the meeting of the General Assembly.

That they had passed bills of the following titles, viz:

An act more effectually to suppress the practice of gambling.

An act for the benefit of Samuel Woodson, late Clerk of the Hopkins Circuit Court.

An act for the benefit of the Covington and Lexington Railroad Company.

An act to incorporate the Owingsville and Mountsterling Turnpike Road Company.

An act to incorporate the Owingsville and Poplar Plains Turnpike Road Company.

An act in relation to the Harrodsburg, Cane Run, and Big Spring Turnpike Road Company.

An act to incorporate Pleasant Grove Division, No. 253, in Trimble county.

An act to authorize the sale of the Methodist Parsonage, in Salvisa, in Mercer county.

An act to increase the powers of the Marshal of New Liberty.

The following bills were reported by the committee on the Judiciary, to-wit:

A bill concerning the Marshal of the town of Lancaster, and to establish the office of Marshal in the town of Richmond.

A bill to authorize the people of Fayette to provide for the erection of a new court house.

A bill to amend the charter of the city of Lexington.

A bill to incorporate Carthage Division, No. 208, Sons of Temperance.

A bill to incorporate the town of New Haven.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The House then took up, according to order, the bill from the Senate, entitled, an act to incorporate the Lexington and Danville Railroad Company, approved March 5, 1850, and the amendments proposed thereto.

The said amendments were then concurred in.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill to incorporate certain turnpike companies in the county of Garrard, reported the same with amendments, which were concurred in.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz :

An act dispensing with commissions to certain officers of this commonwealth.

An act to create the offices of Police Judge and Marshal in the town of Rumsey.

Reported the same with amendments to each, which were concurred in.

*Ordered*, That said bills as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

Mr. McKee, from the committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz :

An act to incorporate Liberty Lodge, No. 126, of Free and Accepted Masons.

An act to authorize the Clerk of the County Court of Owen to index record books A and B in his office.

An act to incorporate the Louisville Farmers' Tobacco Warehouse Company.



An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

An act to punish persons for endangering life by placing obstructions on railroads.

An act to amend the laws relating to Georgetown.

An act to amend an act, entitled, an act to incorporate and establish the town of Fairview, in Todd and Christian counties.

An act concerning certain public books.

An act to amend an act, entitled, an act to enlarge the powers of the trustees of the town of Brandenburg, approved February 18, 1851.

An act to incorporate the town of Sparta, in Owen county.

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

Mr. McKee, from the same committee, to whom was referred a bill from the Senate, entitled, an act authorizing the Marshal of the town of Hopkinsville to appoint a deputy, reported the same without amendment.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative; and so the said bill was disagreed to.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill to incorporate the Louisville and Jeffersontown Plank Road Company, reported the same with amendments.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole, on the bill to authorize a conventional rate of interest of ten per cent. per annum, and the amendments proposed thereto by the committee on the Judiciary, Mr. Burnett in the chair; and after some time spent therein, the Speaker resumed the chair, when Mr. Burnett reported that the committee had, according to order, had under consideration the bill and amendments aforesaid, and had instructed him to report the same to the house without amendment, which he handed in at the clerk's table.

The amendments proposed to said bill were then concurred in—and the said bill, as amended, reads as follows, viz :

*Be it enacted by the General Assembly of the Commonwealth of Kentucky, That when any person agrees, in writing, to pay any rate not exceeding*

ten per cent. per annum interest on the dollar, for the use, loan, or forbearance of money, he shall be held and bound to pay such rate of interest upon the principal sum, or any part thereof remaining unpaid, so long as he may have agreed to pay such rate of interest: *Provided*, that this act shall not be construed, in any case, to change the rate of interest and discount to be charged and received by any of the banking corporations of this commonwealth.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Harman and W. F. Moore, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	David Griggs,	Robert G. Lewis,
John S. Boyd,	Charles J. Helm,	George R. McKee,
James L. Caldwell,	Alvin M. Hume,	Andrew Monroe,
John Calvert,	John G. James,	Samuel M. Moore,
Robert M. Carlisle,	Henry S. Johnson,	John J. Thomas,
Willis S. Chaplin,	John A. Keith,	Lawrence S. Trimble,
Elisha S. Fitch,	John J. Landrum,	Francis Troutman—22.
Francis Ford,		

Those who voted in the negative, were

Granville C. Alfred,	John F. Gaar,	Barnett C. Moran,
William C. Anderson,	Thomas R. Givens,	Robert O. Morgan,
William Bailey,	Jacob S. Golladay,	William F. Moore,
Joseph H. Barlow,	William C. Grier,	Birch Musselman,
James P. Bates,	John J. Haley,	Thomas J. Nash,
Charles M. Briggs,	Thomas R. Harman,	Micajah Oglesby,
A. H. Bryan,	Samuel Hatfield,	Joel W. Sallee,
Joshua F. Bullitt,	Alvin Herndon,	Elijah G. Sebree,
Curtis F. Burnam,	Thomas Hagins,	Isaac N. Shepperd,
Isaac Burnett,	Benjamin F. Hume,	Green Sterett,
Charles G. C. Canby,	Garland Hurt,	Joshua H. Thomas,
A. D. Cosby,	Alfred M. Jones,	Thornton Triplett,
Edwin S. Craig,	Benjamin H. Kerrick,	Drury Tye,
Jonathan Davis,	John B. Laffoon,	Claiborne J. Walton,
Francis U. Dodds,	Joseph H. Lewis,	William C. Webster,
Ellis Duncan,	William McMillan,	John S. Williams,
James Edelin,	William C. McNary,	Alex. H. Willingham,
Price Edrington,	Strother D. Mitchell,	James C. Wilmore,
David Elms,	Elijah S. Mitchusson,	Chas. G. Wintersmith—57.

A bill from the Senate, entitled, an act to incorporate the Phoenix Insurance Company at Lexington, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House took up the bill for the benefit of the Kentucky Institution for the Education of the Blind, which reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the president and visitors of the Kentucky institution for the education of the blind, are hereby authorized to sell, at private sale or public auction, as they may think best, and for cash in hand or upon time, as they may think best, the lot or parcel of land, together with all and singular the appurtenances which belong to said institution, situate in the city of Louisville, on the south side of Broadway, and between first and second cross-streets, and to make proper deeds of conveyance to the purchasers, with appropriate covenants of warranty.

§ 2. The president and visitors of said institution are also hereby authorized to appropriate the proceeds of said sale to the purchase of ten acres of land of E. P. Pope and W. P. Boone, in West Louisville, upon the terms contained in the written proposition made by said Pope and Boone to said president and visitors, and to the erection thereon of suitable buildings, appropriate to the objects of said institution; and, in order to enable said president and visitors to erect appropriate buildings, to furnish them properly, and to inclose and improve the grounds about them, the further sum of ten thousand dollars is hereby appropriated, to be applied by said president and visitors to the objects above indicated.

§ 3. So much of the first section of an act, entitled, "an act for the benefit of the Kentucky institution for the education of the blind," approved March 4, 1850, as limits its operation to three years, is hereby repealed.

§ 4. The president and visitors of said institution are hereby authorized to receive into the same, and to retain for the usual term, without regard to their pecuniary circumstances, all blind children, of suitable age, character, and capacity, resident in this commonwealth, on the terms and conditions prescribed by law for those heretofore receivable as beneficiaries of the state.

§ 5. The president and visitors of said institution may allow any blind child, resident in Kentucky, who may have entered, or who may hereafter enter the institution, under the age of thirteen years, to remain therein as a beneficiary of the state until he attains to the age of twenty-one years.

*Ordered,* That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Francis Ford,	Strother D. Mitchell,
Granville C. Alfred,	John F. Gaar,	Elijah S. Mitchusson,
William C. Anderson,	Thomas R. Givens,	Andrew Monroe,
William Bailey,	Jacob S. Golladay,	Barnett C. Moran,



Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
Charles M. Briggs,  
A. H. Bryan,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
Isaac Burnett,  
James L. Caldwell,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Willis S. Chaplin,  
A. D. Cosby,  
Hezekiah Cox,  
Edwin S. Craig,  
Jonathan Davis,  
Francis U. Dodds,  
Ellis Duncan,  
James Edelin,  
Price Edrington,  
David Elms,  
Elisha S. Fitch,

William C. Grier,  
David Griggs,  
Grant Green,  
John J. Haley,  
Samuel Hatfield,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Benjamin F. Hume,  
Garland Hurt,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
John B. Laffoon,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Henry D. McHenry,  
George R. McKee,  
William McMillan,  
William C. McNary,

Robert O. Morgan,  
Samuel M. Moore,  
William F. Moore,  
Birch Musselman,  
Thomas J. Nash,  
Micajah Oglesby,  
Joel W. Sallee,  
Elijah G. Sebree,  
Isaac N. Shepperd,  
Green Sterett,  
Napoleon B. Stone,  
Joshua H. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Francis Troutman,  
Drury Tye,  
Claiborne J. Walton,  
William C. Webster,  
John S. Williams,  
Alex. H. Willingham,  
James C. Wilmore,  
Chas. G. Wintersmith—79.

In the negative—none.

Mr. Oglesby, from the committee appointed to visit the Lunatic Asylum at Lexington, made the following report, viz :

The joint committee appointed to examine the Lunatic Asylum at Lexington, respectfully report, that in the discharge of the duties imposed upon them, they made a thorough examination of the building, and the condition of its unfortunate occupants. In this they were accompanied by the superintendent, who cheerfully rendered any facility in his power, and whose kindness and attention to the insane is not less honorable than proverbial.

It is with sincere pleasure your committee state that the benevolence which dictated the foundation and endowment of such an institution, has been adopted in the care, management, and treatment of its unfortunate and pitiable inmates. Force, harshness, neglect, and seclusion, the too frequent remedies of the past, have been almost entirely superseded by the law of kindness, so well calculated to woo and win reason back to its wonted and proper dominion. Social intercourse, exercise, employment, amusements, and music, are among the curative agents which the experience and accurate observation of Dr. Allen, the intelligent and skillful superintendent, has (as we understand,) employed with most cheering success. Your committee cannot commend too highly, the neatness, order and discipline which pervade and justly characterize the entire management of the asylum.

There are now 260 persons of both sexes confined in said asylum, and the extensive additions to the building, now near completion, will increase the comfort of the patients—affording greater facilities for exercise, and a freer ventilation—two important elements of health—and will further enable the superintendent so to arrange and separate the various forms

and degrees of insanity, as by association and otherwise to invite and lead back the deranged intellect to the world of reason and to the joyous fruition of its restored and healthy faculties.

Whilst your committee regret the necessity of such institutions, they can but admire that noble and useful philanthropy which, by such means, alleviates the worst and most appalling of all human misfortunes, and cannot commend too strongly or earnestly the continuance of that hitherto enlightened liberality, which is not less honorable to us as men, than laudable to us as legislators and the representatives of a great and philanthropic people.

JNO. D. TAYLOR, *Chm. S. C.*  
WM. A. HOOE,  
J. A. GOODSON,  
MICAHAH OGLESBY, *Chm. H. R. C.*  
W. C. McNARY,  
B. H. KERRICK,  
ALFRED M. JONES,  
A. H. BRYAN.

*December 23, 1851.*

*Ordered,* That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

*Ordered,* That Mr. Park have leave of absence for two days; and Messrs. Samuels, Cox, Moran, and Calvert, till Monday next.

The amendment proposed by the Senate, to a bill from this House, entitled, an act to give additional power to the Madison County Court, was taken up, twice read, and concurred in.

And then the House adjourned.

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WEDNESDAY, DECEMBER 24, 1851.

1. Mr. Trimble presented the petition of H. Hull, G. Smedley, and B. Small, asking compensation as commissioners in the contested election of sheriff in McCracken county.

2. Mr. Burnett presented the petition of W. M. Thomas, praying the creation of a Police Judge and Town Marshal for Canton, in Trigg county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims; and the 2d to the committee on the Judiciary.

Mr. Carlisle, from the select committee appointed to prepare and bring in the same, asked to be discharged from the further consideration of a leave to bring in a bill to establish the Covington Chancery Court, which was granted.

*Ordered*, That the committee on Circuit Courts prepare and bring in the same.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by this House, to a bill from the Senate, entitled, an act changing the time of holding the Logan county quarterly courts.

That they had passed bills from this House, of the following titles, to-wit:

An act to empower the city of Newport to convey lot No. 3 in said city.

An act to amend an act incorporating the Richmond Cemetery Company.

That they had passed bills of the following titles, viz:

An act to authorize the election of a Police Judge, Marshal, and Tax Commissioner in the town of Columbus.

An act to authorize the New Orleans, Jackson, and Northern Railroad Company, to extend their railroad from the south boundary line of the state of Kentucky to the Ohio and Tennessee rivers, within certain prescribed limits named, in this state.

An act to allow Justices of the Peace, and others, to take depositions.

An act to change the line of the Justices' and Constables' districts, Nos. 1 and 3, in Green county.

An act to authorize the county of Henry to subscribe stock in the Louisville and Covington Railroad.

Mr. S. M. Moore, from the committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz:

An act to incorporate the Independent Fire Company, Washington, No. 1, of Maysville and suburbs.

An act to amend an act, entitled, an act to incorporate the Bank Lick Turnpike Road Company.

An act for the benefit of Florence Academy, in Boone county.

An act to establish a sinking fund for the county of Bourbon, and to provide for the appointment of commissioners therefor.

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.



Mr. Oglesby, from the committee on Ways and Means, to whom was referred bills from the Senate, of the following titles, viz :

An act for the benefit of B. G. Dudley.

An act for the benefit of William Davis, former Sheriff of Whitley county.

An act for the benefit of the Sheriff of Union county.

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. S. M. Moore, from the committee on the Judiciary, to whom was referred leave to bring in a bill to amend an act concerning public roads and highways in Bracken county, approved February 25, 1835, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That the same be referred to the committee on Internal Improvement.

Mr. S. M. Moore, from the same committee, to whom was referred leave to bring in a bill to authorize the County Court of Taylor to build a work house in said county, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said leave be referred to the committee on County Courts.

Mr. S. M. Moore, from the same committee, to whom was referred the petition of Samuel Vannoy, reported the same with the following resolution, viz :

*Resolved*, That said petition be rejected.

Which was concurred in.

An engrossed bill, entitled, an act to fix the time of holding the circuit courts in the 8th judicial district, was read the third time.

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The House resumed the consideration of the bill to incorporate the Louisville and Jeffersontown Plank Road Company, and the amendments proposed thereto, which were concurred in.

*Ordered*, That said bill be engrossed and read a third time on Friday next, at 11 o'clock, A. M.

Mr. Burnett, from the committee on Ways and Means, to whom was referred the petition of sundry citizens of Greenup county; the petition of sundry citizens of Wayne county; the petition of sundry citizens of

Jefferson county ; and the petition of sundry citizens of Lewis county, praying the passage of a law in relation to the traffic in ardent spirits, asked to be discharged from the further consideration of the same, which was granted.

Mr. Burnett, from the same committee, to whom was referred the petition of sundry citizens of Jessamine, Henderson, and Nelson counties, praying an appropriation in aid of the Colonization Society, asked to be discharged from the further consideration of the same, which was granted.

Mr. Burnett, from the committee on Ways and Means, to whom was referred the petition of the Greenup bar, asked to be discharged from the further consideration of the same, which was granted.

*Ordered*, That said petition be referred to the committee on Circuit Courts.

Mr. McNary, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to amend the charter of the Shelby Railroad Company, reported the same with amendments, which were concurred in.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on the Judiciary—1. A bill to amend and reduce into one the several acts relating to the town of Glasgow.

By same—2. A bill to amend an act, entitled, an act to charter the Louisville and Nashville Railroad Company, and the act amendatory of the same, approved March 20, 1851.

By same—3. A bill in relation to the districts in Franklin county.

By same—4. A bill to incorporate the Newport Fuel Company.

By same—5. A bill for the benefit of the heirs of James Gay, deceased.

By same—6. A bill to incorporate the Cynthiana Female Academy.

By same—7. A bill to authorize the County Court of Harrison county to borrow money.

By same—8. A bill for the benefit of the Sheriff of Kenton county.

By same—9. A bill to incorporate the Turkey Foot Turnpike Road Company.

By same—10. A bill to amend the city charter of Covington.

By same—11. A bill to charter Union Lodge, No. 10, I. O. O. F., Nicholasville.

By same—12. A bill for the benefit of the Sheriff of Oldham county.

By same—13. A bill concerning the public records of Bracken county.

By same—14. A bill to charter Brooksville Lodge, No. 154, of Free and Accepted Masons.

By same—15. A bill to incorporate the Licking River Navigation Company.

By the committee on Ways and Means—16. A bill for the benefit of Hiram Senior, of Union county, and Benjamin R. Briggs, of Ohio county.

By same—17. A bill for the benefit of George Webster, of the town of Winchester.

By same—18. A bill for the benefit of the Sheriff of Bath county.

By the committee on Internal Improvement—19. A bill to charter the Knob Lick Turnpike Road Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The committee on the Judiciary reported a bill to amend an act, entitled, an act to charter the city of Louisville, approved March 24, 1851, which was read the first time, as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act, the general council of the city of Louisville shall have power to grant licenses for billiard tables and Jenny Lind tables, to be kept in said city ; and all the regulations of the sixth article of the act referred to in the title thereof, in regard to licenses for bowling alleys, shall be and are hereby made applicable to the licenses hereby authorized.

§ 2. Before any license for a billiard or Jenny Lind table shall take effect, the grantee thereof shall pay to the clerk of the county court of Jefferson county, in addition to the tax charged by the city of Louisville, the sum of one hundred dollars, and procure said clerk's certificate of such payment on the back of said license. For every such certificate the clerk shall be entitled to fifty cents, to be paid by the applicant.

§ 3. Said clerk shall account for the money received by him under the second section hereof as for other taxes ; and the same shall be carried to the credit of the sinking fund of the state of Kentucky.

*Ordered*, That said bill be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.



The yeas and nays being required thereon by Messrs. Elms and Canby, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Francis Ford,	Henry D. McHenry,
Granville C. Alfred,	Thomas R. Givens,	George R. McKee,
William Bailey,	Jacob S. Golladay,	William C. McNary,
Joseph H. Barlow,	David Griggs,	Strother D. Mitchell,
John S. Boyd,	Grant Green,	Elijah S. Mitchusson,
Charles M. Briggs,	Charles J. Helm,	Robert O. Morgan,
A. H. Bryan,	John B. Holladay,	William F. Moore,
Joshua F. Bullitt,	Alvin M. Hume,	Birch Musselman,
Isaac Burnett,	Benjamin F. Hume,	Elijah G. Seabee,
James L. Caldwell,	Garland Hurt,	James C. Sprigg,
Willis S. Chaplin,	William G. Jackson,	Green Sterett,
A. D. Cosby,	John G. James,	Daniel B. Stivers,
Edwin S. Craig,	Alfred M. Jones,	John J. Thomas,
Jonathan Davis,	John A. Keith,	Joshua H. Thomas,
Ellis Duncan,	Benjamin H. Kerrick,	Lawrence S. Trimble,
James Edelin,	John B. Laffoon,	Drury Tye,
Price Edrington,	John J. Landrum,	William C. Webster,
Elisha S. Fitch,	Joseph H. Lewis,	Chas. G. Wintersmith—54.

Those who voted in the negative, were

Charles G. C. Canby,	Thomas Hagins,	Joel W. Sallee,
Robert M. Carlisle,	Robert G. Lewis,	Isaac N. Shepperd,
Francis U. Dodds,	William McMillan,	Napoleon B. Stone,
David Elms,	Andrew Monroe,	Thornton Triplett,
John F. Gaar,	Samuel M. Moore,	Claiborne J. Walton,
William C. Grier,	Thomas J. Nash,	Alex. H. Willingham,
Samuel Hatfield,	Micajah Oglesby,	James C. Wilmore—21.

*Resolved*, That the title thereof be as aforesaid.

Mr. Burnett, from the committee on Ways and Means, reported a bill concerning nine pin alleys, &c., which was read the first time, as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter no license shall be granted to any person, or persons, or company, to keep a bowling saloon in which the game of "nine pins," "ten pins," "cocked hat," or any other bowling game shall be played, at any place within this commonwealth, until such person, or persons, or company, shall pay in advance to the clerk granting such license, in any county where the population shall be ten thousand or over, for each track or alley, the sum of fifty dollars; in any county where the population is under ten thousand, for each track or alley, the sum of twenty-five dollars.

§ 2. *Be it further enacted*, That if any person, or persons, or company, shall hereafter keep up any such bowling saloon, as is described in the foregoing section, without having obtained a license as thereby required, he, she, or they, shall be subject to a fine of one hundred dollars, to be recovered by motion in the county court, or by indictment of a grand jury.

*Ordered*, That said bill be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Golladay moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. McKee and B. F. Hume, were as follows, viz :

Those who voted in the affirmative, were

Robert M. Carlisle,  
Willis S. Chaplin,  
Edwin S. Craig,  
Francis Ford,  
Jacob S. Golladay,  
John B. Holladay,

Henry S. Johnson,  
William McMillan,  
Samuel M. Moore,  
Birch Musselman,  
Micajah Oglesby,

Elijah G. Seabee,  
Green Sterett,  
Napoleon B. Stone,  
John J. Thomas,  
Drury Tye—16.

Those who voted in the negative, were

Granville C. Alfred,  
William Bailey,  
Joseph H. Barlow,  
John S. Boyd,  
Joshua F. Bullitt,  
Isaac Burnett,  
James L. Caldwell,  
Charles G. C. Canby,  
A. D. Cosby,  
Jonathan Davis,  
Francis U. Dodds,  
Ellis Duncan,  
Price Edrington,  
David Elms,  
Elisha S. Fitch,  
John F. Gaar,  
Thomas R. Givens,  
David Griggs,  
Grant Green,

John J. Haley,  
Thomas R. Harman,  
Charles J. Helm,  
Thomas Hagins,  
Alvin M. Hume,  
Benjamin F. Hume,  
James H. Hundley,  
William G. Jackson,  
John G. James,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
John B. Laffoon,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Henry D. McHenry,  
George R. McKee,  
William C. McNary,

Strother D. Mitchell,  
Elijah S. Mitchusson,  
Andrew Monroe,  
Robert O. Morgan,  
William F. Moore,  
Thomas J. Nash,  
Joel W. Sallee,  
Isaac N. Shepperd,  
James C. Sprigg,  
Daniel B. Stivers,  
Joshua H. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
James C. Wilmore,  
Chas. G. Wintersmith—56.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

FRIDAY, DECEMBER 26, 1851.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to authorize the county of Hickman to take and hold stock in the Ohio and Mobile Railroad Company.

An act to establish tobacco inspections in the city of Louisville.

An act to amend the charter of the town of Danville.

An act for the benefit of school district No. 20, in Crittenden county.

An act to allow an additional term to the Harrison Circuit Court.

An act to amend an act, entitled, an act to incorporate the town of Campbellsville.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act to incorporate the Versailles and Woodford County Railroad Company.

An act to establish an additional Justices' district and election precinct in Nicholas county.

An act to authorize the County Court of Daviess, and other counties so disposed, to subscribe stock in the Louisville and Mississippi Railroad Company, and in the Louisville and Nashville Railroad Company.

An act to establish the town of Stylesville, in Pulaski county.

An act to authorize the County Court of Simpson to take and hold stock in a railroad or railroads.

An act to change the time of holding the fall term of the Estill Circuit Court.

An act for the benefit of Samuel P. Lasley, and Mary, his wife.

1. Mr. Craig presented the petition of the Kentucky Institution for the Education of the Blind, in relation to the Louisville and Portland Railroad.

2. Mr. R. G. Lewis presented the petition of the citizens of the town of Hillsboro', in Fleming county, praying for a Justice of the Peace and Constable.

3. Mr. Duncan presented the petition of J. Wood Wilson, praying that the Presbyterian Church at Bardstown may be incorporated.

4. Also, the petition of Richard Johnson, praying permission to erect a fish dam across the Beech Fork.

5. Also, the petition of Turner Wilson, praying permission to build a fish dam across the Beech Fork.



6. Mr. Hundley presented the petition of sundry citizens of Pike county, praying a division of an election precinct in said county.

7. Mr. Hurt presented the petition of sundry citizens of Floyd county, in relation to the sale of ardent spirits.

8. Mr. Grier presented the petition of sundry citizens of Greenup county, on the same subject.

9. Mr. Burnett presented the petition of Blake Baker and the legatees of Moses Gresham, praying permission to sell a tract of land.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on County Courts; the 3d, 7th, and 8th, to the committee on Religion; the 4th, 5th, and 6th, to the committee on Propositions and Grievances; and the 9th to the committee on the Judiciary.

Mr. McNary, from the committee on Internal Improvement, to whom was referred bills of the following titles, viz:

A bill to incorporate the New Orleans and Ohio Railroad Company.

A bill incorporating the Napoleon and Big Bone Lick Turnpike Road Company.

A bill further to provide for the collection of toll on Muldrow's Hill.

Reported the same without amendment.

*Ordered*, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McNary, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act declaring the Elk Fork of Licking and Greasy creeks navigable streams.

An act in relation to the Springfield, Maxville, and Harrodsburg Turnpike Road Company.

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Webster, from the same committee, to whom was referred a bill to incorporate the Nashville and Cincinnati Railroad Company, reported the same with amendments.

The said amendments read as follows, viz:

Add to the bill the following proviso, to-wit:

*Provided*, That if the stock of said company is not subscribed within ten years, this charter to be void.

Additional sections as follows:

§ 4. That the legislature reserves to itself the right to tax the property of said company within the state of Kentucky, in the same manner, and to the same extent, that other railroad companies in this commonwealth are taxed.

§ 5. That nothing in this act shall be so construed as to prohibit the legislature of this state from passing any law authorizing the construction of railroads, within this state, parallel to, crossing, or to unite with said railroad, and this legislature reserves the right to do so. That the power to unite with any railroad within this state, hereby intended to be conferred upon said company, shall be construed so as to authorize said company only to unite with the Lexington and Danville railroad at Danville or Lexington, or some point between Lexington and Danville; and the power to construct a branch, or branches, to said road, shall only confer on said company the power to construct a branch from Glasgow, Kentucky, to intersect with the Nashville and Chattanooga railroad at some point on said road; which power is hereby given said company, with the same privileges and restrictions that they have to construct the main road from Nashville.

§ 6. That the tariff of charges, for the transportation of passengers and freight, shall be equal on all parts of said road, in proportion to distance, and that equal facilities therefor, in either direction, shall be furnished.

§ 7. This act shall not take effect unless the legislature of Tennessee shall, upon application by the Louisville and Nashville railroad company, at the present or before the end of the next session of said Tennessee legislature, grant to said company the right of way through Tennessee, to such point as they may select for their depot on the north side of the Cumberland river opposite to Nashville, or on the south side of said river within one mile and a half of the depot of the Nashville and Chattanooga road.

§ 8. The general assembly of the commonwealth of Kentucky hereby reserves to itself the right to limit and restrict the amount of capital stock of said company, at any time hereafter.

The question was then taken on the adoption of said amendments, and it was decided in the affirmative.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Briggs and Oglesby, were as follows, viz:

## Those who voted in the affirmative, were

William Bailey,	Charles J. Helm,	Elijah S. Mitchusson,
Joseph H. Barlow,	Thomas Hagins,	Andrew Monroe,
John S. Boyd,	John B. Holladay,	Samuel M. Moore,
A. H. Bryan,	Alvin M. Hume,	William F. Moore,
Isaac Burnett,	Benjamin F. Hume,	Thomas J. Nash,
James L. Caldwell,	James H. Hundley,	Micajah Oglesby,
Charles G. C. Canby,	Garland Hurt,	John J. Park,
Robert M. Carlisle,	William G. Jackson,	Isaac N. Shepperd,
A. D. Cosby,	Henry S. Johnson,	Napoleon B. Stone,
Jonathan Davis,	Alfred M. Jones,	John J. Thomas,
James Edelin,	John A. Keith,	Joshua H. Thomas,
Price Edrington,	Benjamin H. Kerrick,	Lawrence S. Trimble,
Thomas R. Givens,	John J. Landrum,	Drury Tye,
Jacob S. Golladay,	Joseph H. Lewis,	Claiborne J. Walton,
David Griggs,	Robert G. Lewis,	William C. Webster,
Grant Green,	William C. McNary,	Chas. G. Wintersmith—50.
John J. Haley,	Strother D. Mitchell,	

## Those who voted in the negative, were

Charles M. Briggs,	William C. Grier,	Green Sterett,
Edwin S. Craig,	Samuel Hatfield,	Thornton Triplett,
David Elms,	John B. Laffoon,	Alex. H. Willingham—11.
John F. Gaar,	Elijah G. Sebree,	

*Resolved*, That the title thereof be as aforesaid.

An engrossed bill, entitled, an act to incorporate the Louisville and Jeffersontown Plank Road Company, was read the third time as follows, to-wit:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a company shall be and is hereby incorporated for the construction of a plank road from the extension of Broadway, in the city of Louisville, by way of the farms of A. M. Robinson, M. D. Robards, W. Short, Arthur Peter, and Dr. William Bryan, to Jeffersontown, under the name and style of the Louisville and Jeffersontown plank road company.

§ 2. The capital stock of said company shall be fifty thousand dollars, divided into shares of one hundred dollars, and shall be deemed personal estate.

§ 3. Books for subscription to the capital stock shall be opened in Louisville under the direction of Arthur Peter, A. M. Robinson, W. Short, Dr. William Bryan, and M. D. Robards, or a majority of them, who, or a majority, shall give thirty days' notice in one of the newspapers printed in the city of Louisville, of the time and place of opening them; at which time and place they shall permit the subscribers therein to subscribe an obligation of the following tenor: "We, whose names are hereunto subscribed, do promise to pay to the Louisville and Jeffersontown plank road company the sum of one hundred dollars for each share of stock set opposite our names, in such manner and proportions, and at such times as shall be determined by said company, and agreeably to the act of the general assembly incorporating said company. Witness our hands this                      day of                      185                      . The commissioners, or a majority, shall permit all persons of lawful age and ca-



capacity, bodies politic, to subscribe stock in said road, in their own names, or that of any other who shall duly authorize it, for any number of shares; and they may keep open said books, and adjourn from time to time, or from place to place, if necessary, until the whole number of shares shall be subscribed; but of any such adjournment they shall give such notice as they may deem proper.

§ 4. That whenever one hundred shares of stock shall have been subscribed, the commissioners, or a majority, shall give ten days' notice thereof in one of the newspapers printed in said city, and that an election will be held at such time and place as they may direct, for a president, five directors, and a treasurer of said company; at which election each share of stock to the number of ten shall entitle the owner to one vote; and every two shares over ten, to an additional vote; and the officers thus elected shall hold their offices for one year, or until their successors are chosen. But no person shall be elected a president or director unless he shall be a stockholder; and any president or director ceasing to be a stockholder shall vacate his office.

§ 5. That when the capital stock shall have been thus subscribed, and the officers elected, the said company are hereby declared a body politic and corporate, by the name and style of the Louisville and Jeffersontown plank road company; and by that name shall have perpetual succession, and sue and be sued, plead and be impleaded, be capable of purchasing, holding, and conveying all such real and personal estate as may be necessary to carry out the object of their incorporation, and shall have all the privileges and franchises incident to such a corporation, and may have and use a common seal, and the same break, renew, or alter, at pleasure, and make all by-laws and regulations, not inconsistent with the constitution and laws, as they may deem right and proper.

§ 6. That the said road shall be made of the width, depth, grade, and style, as is required and set forth in the 7th section of the act of the general assembly of this commonwealth, entitled, "an act to authorize the construction of plank, stone, and gravel turnpike roads in this commonwealth," approved March 7, 1850.

§ 7. That it shall be lawful for said company, by their president and directors, or a majority of them, to agree with the owner, or owners of any land or earth that may be needed for said road, or the guardian or guardians, or personal representative of such owner or owners for the land or earth, or with any turnpike road company for the use or surrender of the right of way to, from, or across the same; and if they cannot agree, then it shall be lawful for the company hereby incorporated to obtain from any disinterested justice of the peace a writ directed to any constable of Jefferson county, commanding him to summon thirteen freeholders, to be chosen by said justice, to meet on the premises—nine of whom shall have the right to agree upon and return to said justice a verdict—and, upon oath, to be administered by him, estimate the value of the land or earth, or right of way, proposed to be taken or used; and if such owner or owner, guardian, or guardians, or personal representative, claim consequential damage beyond the value of the land so proposed to be taken, then they shall take into the estimate the benefit resulting to such owner or owners by the construction of the road, but only in extinguishment of the claim to consequential dama-

ges; and upon the tender or payment of the value of the land or earth to the owner or owners, his, her, or their guardian, personal representative or agent, or to the president or treasurer of the turnpike company for that of the right of way, the land, earth, or right of way thus valued, shall vest in the company hereby incorporated as fully as if the same had been conveyed to them by the owner or owners or turnpike company. But said owner, or owners, guardian, or personal representative, or turnpike company, shall have the right at any time thereafter to receive the amount thus tendered; if at that time refused, but without cost to the company hereby incorporated.

§ 8. The president and directors, for the time being, may supply any vacancy which may, from any cause, arise in their body; and whenever there shall be a failure to make an annual election, the president and directors may direct one on any other day they may think fit; and shall have power and authority to permit any stockholder to work out his stock, or any part thereof, in said road: *Provided*, he shall do it at as low a rate as any one else shall be willing to do it for.

§ 9. The affairs of said company shall be managed by the president and directors thereof; and they shall have the right to change the rates of toll, and stop the travel of man, beast, or carriage, as is permitted and authorized by the 9th section of the aforesaid act, entitled, "an act to authorize the construction of plank, stone, and gravel turnpike roads in this commonwealth;" and may create a sinking fund for the re-construction of said road, and invest a portion of the tolls in some safe and profitable fund or stock for that purpose; and said president and directors may increase the capital stock of said company by a new subscription in such manner as may be deemed necessary by them to complete the road, or to make a double track thereon if they should deem it advisable and necessary. But such increase shall not be made, unless a majority of the stockholders in interest agree thereto, at a meeting to be held for that purpose.

§ 10. The Louisville and Taylorsville turnpike company shall have the right to unite their company with the corporation herein created, within sixty days after the organization of the said plank road company, on the following terms: "The plank road company shall make the road herein authorized, and after it is made, the actual cost shall constitute so much stock in the united road company; and the stock in the Taylorsville turnpike, after being scaled and reduced to its actual cost, shall in like manner constitute stock in the united road company; and the two road companies, after being thus united, shall be styled 'the Louisville and Taylorsville turnpike and plank road company;' shall elect but one directory, shall be subject to the same by-laws and management, and shall declare the same dividends on the united stock in the two roads," and shall do all necessary acts to cause proper certificates of stock to be issued to shareholders in proportion to their stock in said road.

§ 11. In the event of any difference of opinion between the companies as to the actual cost or value of the Taylorsville road or plank road, either company may, by motion, after ten days notice, apply to the chancellor of the Louisville chancery court to have a jury impaneled to inquire and assess the value or cost, and their assessment shall be final.

§ 12. The general assembly hereby reserves the right to amend this act at pleasure.

Mr. Davis moved to amend said bill, by adding the following engrossed clause, by way of ryder, viz :

That the said companies thus united shall be liable for the debt of the Louisville and Taylorsville turnpike road company.

Mr. McNary moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Webster and Keith, were as follows, viz :

Those who voted in the affirmative, were

William C. Anderson,	Thomas R. Harman,	Elijah S. Mitchusson,
William Bailey,	Thomas Hagins,	Micajah Oglesby,
Joseph H. Barlow,	Alvin M. Hume,	Joel W. Sallee,
Isaac Burnett,	James H. Hundley,	Green Sterett,
Robert M. Carlisle,	Garland Hurt,	Thornton Triplett,
Jonathan Davis,	William G. Jackson,	Drury Tye,
James Edelin,	Benjamin H. Kerrick,	Alex. H. Willingham,
William C. Grier,	George R. McKee,	Chas. G. Wintersmith—26.
David Griggs,	William C. McNary,	

Those who voted in the negative, were

John S. Boyd,	Charles J. Helm,	Samuel M. Moore,
A. H. Bryan,	John B. Holladay,	Thomas J. Nash,
Charles G. C. Canby,	Henry S. Johnson,	Elijah G. Seabee,
Edwin S. Craig,	Alfred M. Jones,	Isaac N. Shepperd,
Francis U. Dodds,	John A. Keith,	Napoleon B. Stone,
Price Edrington,	John J. Landrum,	John J. Thomas,
John F. Gaar,	Joseph H. Lewis,	Joshua H. Thomas,
Thomas R. Givens,	Robert G. Lewis,	Lawrence S. Trimble,
Grant Green,	Andrew Monroe,	Claiborne J. Walton,
John J. Haley,	Robert O. Morgan,	William C. Webster—31.
Samuel Hatfield,		

The question was then taken on the adoption of the amendment proposed by Mr. Davis, by way of ryder, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wintersmith and Webster, were as follows, viz :

Those who voted in the affirmative, were

William C. Anderson,	John J. Haley,	William C. McNary,
William Bailey,	Thomas R. Harman,	Elijah S. Mitchusson,
Joseph H. Barlow,	Thomas Hagins,	Thomas J. Nash,
Robert M. Carlisle,	Alvin M. Hume,	Micajah Oglesby,
Jonathan Davis,	Garland Hurt,	Green Sterett,
James Edelin,	William G. Jackson,	Drury Tye,



Thomas R. Givens,  
William C. Grier,  
Grant Green,

Benjamin H. Kerrick,  
George R. McKee,

Alex. H. Willingham,  
Chas. G. Wintersmith—25.

Those who voted in the negative, were

John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
Charles G. C. Canby,  
Edwin S. Craig,  
Francis U. Dodds,  
Price Edrington,  
David Elms,  
John F. Gaar,  
David Griggs,

Samuel Hatfield,  
Charles J. Helm,  
John B. Holladay,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Andrew Monroe,

Robert O. Morgan,  
Samuel M. Moore,  
Joel W. Sallee,  
Elijah G. Sebree,  
Isaac N. Shepperd,  
Napoleon B. Stone,  
John J. Thomas,  
Joshua H. Thomas,  
Claiborne J. Walton,  
William C. Webster—30.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Davis and Bryan, were as follows, viz:

Those who voted in the affirmative, were

John S. Boyd,  
A. H. Bryan,  
Charles G. C. Canby,  
Edwin S. Craig,  
Francis U. Dodds,  
Price Edrington,  
John F. Gaar,  
Thomas R. Givens,  
Grant Green,  
Samuel Hatfield,

Charles J. Helm,  
John B. Holladay,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Andrew Monroe,  
Robert O. Morgan,

Samuel M. Moore,  
Thomas J. Nash,  
Elijah G. Sebree,  
Isaac N. Shepperd,  
Napoleon B. Stone,  
John J. Thomas,  
Joshua H. Thomas,  
Lawrence S. Trimble,  
Claiborne J. Walton,  
William C. Webster—30.

Those who voted in the negative, were

William C. Anderson,  
William Bailey,  
Joseph H. Barlow,  
Isaac Burnett,  
Robert M. Carlisle,  
Jonathan Davis,  
James Edelin,  
David Griggs,  
Thomas R. Harman,

Thomas Hagins,  
Alvin M. Hume,  
James H. Hundley,  
Garland Hurt,  
William G. Jackson,  
Benjamin H. Kerrick,  
John B. Laffoon,  
George R. McKee,

William C. McNary,  
Elijah S. Mitchusson,  
Micajah Oglesby,  
Joel W. Sallee,  
Green Sterett,  
Drury Tye,  
Alex. H. Willingham,  
Chas. G. Wintersmith—25.

*Resolved*, That the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Internal Improvement—A bill to incorporate the Lexington and Big Sandy Railroad Company.

By same—A bill to incorporate the Crab Orchard and Mount Vernon Turnpike road Company.

By the committee on the Judiciary—A bill to change the time of holding the Garrard county and quarterly courts.

By same—A bill to amend the charter of the Perryville and Springfield Turnpike Road Company.

By the committee on Banks—A bill to amend the charter of the Newport Safety Fund Bank of Kentucky.

By Mr. Jackson—A bill for the benefit of common schools in Estill county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Anderson moved the following resolution, viz:

*Resolved*, That the use of this hall be tendered to John A. Jacobs, superintendent of the deaf and dumb asylum, Danville, to exhibit the proficiency of some of the scholars of said institution, on to-morrow evening.

Which was adopted.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Senate, entitled, an act to prevent the use of concealed weapons.

Mr. Shepperd read and laid on the table the following resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the governor be requested to order a salute of thirty-one guns to be fired on the 8th January next, in honor of the victory achieved by the American army under Major General Andrew Jackson, against the British under General Pakenham, on the 8th January, 1815; also, the same number of guns to be fired on the 22d day of February next, in honor of the birth-day of General Washington, and of the victory gained by the American forces under General Taylor, at Buena Vista, in which the Kentucky troops bore a conspicuous and efficient part, and won for themselves and their country unfading laurels.

The rule of the House requiring a joint resolution to lie one day on the table, having been dispensed with, it was taken up, twice read, and adopted.

And then the House adjourned.

SATURDAY, DECEMBER 27, 1851.

1. Mr. Kerrick presented the petition of sundry citizens of Jefferson county, praying for an additional election precinct.

2. Also, the remonstrance of sundry citizens of Jefferson county, against draining Oldham's pond in said county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Privileges and Elections, and the 2d to the committee on Internal Improvement.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz :

An act dispensing with commissions to certain officers of this commonwealth.

An act to create the offices of Police Judge and Marshal in the town of Rumsey.

An act to amend an act to incorporate the Lexington and Danville Railroad Company, approved March 5, 1850.

That they had passed bills from this House, of the following titles, to-wit :

An act to amend an act, entitled, an act further to provide for the collection of tolls on Kentucky, Green, and Big Barren rivers.

An act to charter the Hamilton and Union Turnpike Road Company.

An act to authorize the town of Columbus to take and hold stock in the Ohio and Mobile Railroad Company.

An act to amend the charter of the Paris and Winchester Turnpike Road Company.

An act to amend an act, entitled, an act incorporating the Crab Orchard and Crews' Knob Turnpike Road Company.

An act to incorporate certain turnpike companies in the county of Garrard.

An act to incorporate the Maysville and Blue Run Plank or Turnpike Road Company.

An act to amend and reduce into one the several acts relating to the town of Glasgow.

That they had passed a bill, entitled,

An act to amend the charter of the Louisville and Frankfort Railroad Company.



The House took up the bill from the Senate, entitled, an act to prevent the use of concealed weapons, and the amendment proposed thereto by Mr. Cox.

The said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That any person who shall, from and after the first day of July, 1852, carry a sword or spear in a cane, a dirk, pistol, bowie knife, air gun, or knife with a spring to prevent its shutting, commonly used as a weapon, or any deadly weapon concealed about his person, or otherwise, so that the same shall not be plainly visible to all by-standers, shall, for every such offense, be subject to a fine not less than twenty-five dollars, nor more than one hundred dollars, to be recovered by indictment: *Provided, however,* that any person indicted under this section may acquit himself by satisfactorily showing upon the trial that the wearing or carrying such weapon or weapons was done by him whilst actually and in good faith engaged upon a journey.

§ 2. That it shall be the duty of the circuit judges to give this act in charge to the grand juries; and that the attorney for the commonwealth, prosecuting an indictment to conviction under this act, shall be entitled to a fee, in each case so prosecuted, to be taxed as part of the costs against the defendant, of twenty dollars.

The amendment proposed by Mr. Cox was to add to the first section of the bill the following proviso, viz :

*Provided, however,* That sheriffs, and all police officers, while performing their official duties, shall be exempt from the provisions of the first section of this act.

Mr. Stone moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wintersmith and Canby, were as follows, viz :

Those who voted in the affirmative, were

Joseph H. Barlow,	Thomas R. Givens,	John A. Keith,
John S. Boyd,	Jacob S. Golladay,	John B. Laffoon,
Isaac Burnett,	Grant Green,	Elijah S. Mitchusson,
James L. Caldwell,	Samuel Hatfield,	Robert O. Morgan,
A. D. Cosby,	John B. Holladay,	Elijah G. Seabee,
Jonathan Davis,	Alvin M. Hume,	James C. Sprigg,
Francis U. Dodds,	Benjamin F. Hume,	Daniel B. Stivers,
Price Edrington,	Henry S. Johnson,	Napoleon B. Stone,
Francis Ford,	Alfred M. Jones,	John J. Thomas—23.
John F. Gaar,		

Those who voted in the negative, were

Mr. Speaker (Robertson),	Thomas Hagins,	Thomas J. Nash,
William C. Anderson,	James H. Hundley,	John J. Park,
James P. Bates,	Garland Hurt,	Joel W. Sallee,

Charles M. Briggs,	William G. Jackson,	Isaac N. Shepperd,
Charles G. C. Canby,	Benjamin H. Kerrick,	Green Sterett,
Robert M. Carlisle,	John J. Landrum,	Joshua H. Thomas,
Edwin S. Craig,	George R. McKee,	Lawrence S. Trimble,
Ellis Duncan,	William C. McNary,	Thornton Triplett,
James Edelin,	Strother D. Mitchell,	Drury Tye,
David Elms,	Andrew Monroe,	Claiborne J. Walton,
David Griggs,	Samuel M. Moore,	Alex. H. Willingham,
John J. Haley,	William F. Moore,	Chas. G. Wintersmith—36.

The question was then taken on the adoption of the amendment of Mr. Cox, and it was decided in the negative.

Mr. Stone moved an amendment to said bill.

On motion of Mr. Wintersmith,

*Ordered*, That said bill and amendment be laid on the table.

Mr. Wintersmith read and laid on the table the following resolutions, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the state of Kentucky approves, and will maintain, the series of laws enacted by the congress of the United States, commonly known as the compromise measures, as a final and definitive settlement and adjustment of the vexed questions and great interests involved.

*Resolved*, That the state of Kentucky expects and demands that those measures, and all their requisitions, shall be faithfully, uniformly, fully, and cordially complied with and put into execution, in their true spirit and meaning, by the people of her sister states.

*Resolved*, That the state of Kentucky will maintain the UNION OF THE STATES and the FEDERAL CONSTITUTION, IN ALL ITS PARTS, to the extent of her ability, at all hazards, against all revolutionary efforts of any party or body of men; but, she will submit to no encroachments upon her rights, whether of property or otherwise, as guarantied by the constitution and such other laws as are required to enforce its provisions.

*Resolved*, That his excellency, the governor, be requested to forward a copy of these resolutions to each of the senators and representatives of Kentucky in the congress of the United States.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

*Ordered*, That said resolutions be made the special order of the day for Wednesday next, at 11 o'clock, A. M.

Mr. Wintersmith read and laid on the table the following resolution, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when they adjourn on the 22d day of January, 1852, the adjournment shall be without day.

Leave was given to bring in the following bills, viz :

On motion of Mr. Canby—1. A bill to incorporate the Hamilton turnpike road, in Boone county.

On motion of same—2. A bill for the benefit of John Riley, of Boone county.

On motion of same—3. A bill to amend the road law of Boone county.

On motion of Mr. Anderson—4. A bill for the benefit of the widow and infant children of Samuel B. Jennings, deceased.

On motion of same—5. A bill to incorporate McKee Division, No. 112, Sons of Temperance.

On motion of Mr. Cosby—6. A bill to change the boundary of district No. 8, in Daviess county.

On motion of Mr. Monroe—7. A bill for the benefit of the Maysville and Mountsterling Turnpike Road Company.

On motion of Mr. McKee—8. A bill to incorporate Lancaster Lodge, No. 104, of Free and Accepted Masons.

On motion of Mr. Wintersmith—9. A bill to allow the Clerk of the Hardin Circuit Court to make and keep cross indexes of all the judgments and decrees in his office.

On motion of Mr. A. M. Hume—10. A bill to repeal all laws exempting certain specific property from attachment and fee bills, and for other purposes.

On motion of Mr. Hurt—11. A bill to allow clerks and sheriffs specific fees for *ex officio* services.

On motion of same—12. A bill for the benefit of Henry Stratton, administrator of S. C. Stratton, deceased.

On motion of same—13. A bill for the benefit of George W. Mayo.

On motion of same—14. A bill to incorporate Paintsville Division, No. 104, Sons of Temperance.

On motion of same—15. A bill to charter the Mountsterling and Virginia Turnpike Road Company.

On motion of Mr. S. M. Moore—16. A bill to incorporate the Covington Library Association.

On motion of same—17. A bill for the benefit of Jenny L. and Lucy A. Burdsal.

On motion of Mr. Tye—18. A bill to amend the road law of Knox county.

On motion of Mr. Haley—19. A bill to create the office of Police Judge and Marshal in the town of Mount Vernon.

On motion of same—20. A bill to change the time of holding the August term of the Laurel quarterly court.

On motion of Mr. W. F. Moore—21. A bill to incorporate the Louisa and Grayson Turnpike Road Company.

On motion of same—22. A bill to incorporate the Pike and Tazwell Turnpike Road Company.



On motion of same—23. A bill granting a premium on Red Fox scalps.

On motion of Mr. Hundley—24. A bill to authorize the citizens of Breathitt and Owsley to hold an election, to determine whether a tax shall be levied to make a road from Booneville to Jackson.

On motion of same—25. A bill to change the time of holding the quarterly and county courts in Perry and Letcher.

On motion of same—26. A bill for the benefit of Ezekiel Brashears, late Clerk of Letcher county.

On motion of same—27. A bill for the benefit of James Bevins, former Sheriff of Pike county.

On motion of same—28. A bill for the benefit of the citizens of Owsley county.

On motion of Mr. Nash—29. A bill to reduce into one the several acts fixing the rate of toll on Muldrow's Hill Turnpike road, and to provide for the collection of the same.

On motion of Mr. Marshall—30. A bill to incorporate the Farmers Bank of Woodford.

On motion of Mr. Oglesby—31. A bill for the benefit of George W. Jackson, of Monroe county.

On motion of Mr. Duncan—32. A bill to make the Bardstown Herald a legalized newspaper.

On motion of Mr. Caldwell—33. A bill to amend the charter of the town of Shelbyville.

On motion of Mr. Briggs—34. A bill for the benefit of the Bowling-green and Tennessee Railroad, or other railroads which may pass through Warren county.

On motion of same—35. A bill to incorporate Compass Lodge, No. 223, of Free and Accepted Masons.

*Ordered*, That the committee on Internal Improvement prepare and bring in the 1st, 2d, 3d, 7th, and 21st; the committee on the Judiciary, the 4th, 5th, 8th, 10th, 11th, 16th, 17th, 24th, 32d, 33d, and 35th; the committee on Privileges and Elections, the 6th; the committee on Revised Statutes, the 9th; Messrs. Hurt, Davis, and Edelin, the 12th, 13th, and 14th; Messrs. Hurt, Mitchell, and Bailey, the 15th; the committee on Ways and Means, the 18th and 23d; Messrs. Haley, Sallee, and Sterett, the 19th; the committee on County Courts, the 20th and 25th; Messrs. W. F. Moore, McKee, and Hagins, the 22d; Messrs. Hundley, Sallee, and Tye, the 26th and 27th; the committee on Propositions and Grievances, the 28th; Messrs. Nash, Wintersmith, and Webster, the 29th; the committee on Banks, the 30th; Messrs. Oglesby, Willingham, and Sterett, the 31st; and Messrs. Briggs, Bullitt, and Craig, the 34th.

A message was received from the Governor, by Mr. MERIWETHER, Secretary of State, announcing that he had approved and signed enrolled bills, which originated in this House, of the following titles, to-wit:

An act to incorporate the Mountsterling, Kiddville, Red River Iron Works, and Irvine Turnpike Road Company.

An act permitting the sale of real estate at the door of the city hall in the city of Covington.

An act authorizing the County Court of Wayne to sell the old jail and stray pen lots in Monticello.

An act for the benefit of the Sheriff of Jessamine county.

An act to amend the charter of the town of Clayvillage, in Shelby county.

An act authorizing the Presiding Judge of Kenton county to hold quarterly terms in Covington.

An act changing the lines of districts in Lewis and Madison counties.

An act to change the line between the Tolesburg precinct and James McCormick's precinct, in Lewis county.

An act to authorize Justices of the Peace to hold inquests in certain cases.

An act to incorporate the town of Marion, in Crittenden county.

An act to prohibit certain officers from trafficking in claims on county treasuries.

An act extending the mechanics' lien law to certain counties.

An act to take the sense of the people of Owsley county, for the purpose of changing the county seat of said county.

An act authorizing the Clarke County Court to subscribe stock in works of internal improvement in said county.

An act for the benefit of Samuel Spencer.

Approved December 20, 1851.

Mr. Jones, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, to-wit:

An act to amend an act incorporating the Richmond Cemetery Company.

An act to empower the city of Newport to convey lot No. 3 in said city.

An act to extend the corporate limits of the city of Newport.

An act to charter the town of Mount Olivet, in Nicholas and Bracken counties.

An act for the benefit of school district No. 29, in Crittenden county.

An act to allow an additional term to the Harrison Circuit Court.

An act to change the time of the meeting of the General Assembly.

An act for the benefit of the Kentucky School of Medicine.

An act to repeal an act, entitled, an act to amend the road law in Pendleton county, approved February 25, 1851.

An act for the benefit of H. Woodyard, late sheriff of Grant county.

An act to change a place of voting in Muhlenburg county.

An act to change the place of voting in an election precinct in Jefferson county.

An act to suspend the operation of the law in relation to changing common school districts in the county of Christian.

An act for the benefit of James H. Godsey, former sheriff of Johnson county, and George H. Morrow, late sheriff of McCracken county.

An act to prevent the erection of obstructions on Quicksand creek, in Breathitt county.

An act to exempt certain persons from paying tolls at the gates on the Lexington and Covington turnpike road, in Grant county.

An act to change the state road leading from Hopkinsville to Clarksville, in Tennessee.

An act for the benefit of George H. Morrow.

An act to establish and regulate the width of a certain portion of the road leading from Richmond to Mountsterling.

An act altering school districts Nos. 55 and 29, in Morgan county.

An act for the benefit of William Meredith.

An act for the benefit of William Alexander.

And bills, which originated in the Senate, of the following titles, to-wit :

An act to change the time of holding the Logan and Campbell county quarterly courts, and the county court of Barren county.

An act for the benefit of William Davis, former Sheriff of Whitley county.

An act to create the offices of Police Judge and Marshal of the town of Rumsey.

An act dispensing with commissions to certain officers of this commonwealth.

An act to establish the Enterprise Tanning and Leather Manufacturing Company of the county of Lewis.

An act to amend an act to incorporate the Lexington and Danville Railroad Company, approved March 5, 1850.

An act for the benefit of B. G. Dudley.

An act to incorporate the Independent Fire Company, Washington, No. 1, of Maysville and suburbs.



Mr. Trimble moved the following resolution, viz.

*Resolved*, That the committee on Congressional Districts be instructed to report a bill on Monday next, at 10 o'clock, to this house, laying off this state into ten congressional districts.

Which was adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By Mr. Elms—1. A bill to amend the law allowing full pay for slaves executed under the criminal laws.

By Mr. Mitchusson—2. A bill for the benefit of the Sheriff of Caldwell county.

By Mr. J. J. Thomas—3. A bill to prevent free negroes and mulattoes from returning into this state.

By Mr. Cosby—4. A bill to change the time of holding the quarterly terms of the County Judge of Daviess county.

By same—5. A bill for the benefit of the Clerk of the Daviess County and Circuit Courts.

By same—6. A bill to incorporate the town of Calhoun, in Daviess county.

By same—7. A bill to change the mode of working roads in Daviess county.

By same—8. A bill to incorporate Crittenden Division, No. 17, Sons of Temperance.

By same—9. A bill to incorporate Union Division, No. 42, Sons of Temperance.

By same—10. A bill for the benefit of the Sheriff of Grant county.

By Mr. Haley—11. A bill for the benefit of James McNeal, former Sheriff of Laurel county.

By Mr. W. F. Moore—12. A bill to change certain districts and precincts in Lawrence county.

By Mr. Craig—13. A bill regulating the fees and duties of the sealer of weights and measures in the county of Jefferson.

By Mr. Trimble—14. A bill to establish the office of Police Judge and Town Marshal in the town of Milburn, in Ballard county.

By same—15. A bill to authorize the County Court of McCracken to levy an *ad valorem* tax to build a court house and jail.

By same—16. A bill to amend an act, entitled, an act giving to officers and crews, and mechanics, and others, a lien on steamboats.

By Mr. Sallee—17. A bill to provide for the erection of a suitable monument over the grave of Col. Thomas Dollerhide.

By Mr. Sebree—18. A bill for the benefit of the Sheriffs of Todd, Pulaski, and Green counties.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was referred to the committee on Ways and Means; the 3d to the committee on the Judiciary; and the 2d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, and 18th, were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 2d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, and 18th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. S. M. Moore,

*Ordered*, That the engrossed bill, entitled, an act to amend the charter of the Kentucky Trust Company Bank, be read the third time on Monday next, at 11 o'clock.

Mr. Sprigg read and laid on the table the following resolution, viz :

Whereas, from the great number of acts of incorporation, of a great many different sorts, now existing among the statutes of this state, and from the manifest disposition of the present legislature to multiply the same character of acts, and from the consideration of the fact that all bills for such purposes introduced, are passed without being read, or the contents made known to the legislature for the time being, any further than by the reading of the titles thereof is indicated, all which description and mode of legislation may result in dangerous and very evil consequences :

*Resolved, therefore, by the General Assembly of the Commonwealth of Kentucky*, That it becomes the duty of the present legislature to provide, by law, for having all the description of acts above referred to revised, and an abstract of the corporate powers granted in each of said acts, and the names of all the persons, male and female, who compose a part of each of said corporations, exhibited, and the description and value of the property, real and personal, and effects of every kind belonging to each of said corporations truthfully shown, and the same information to have communicated to the next general assembly of this commonwealth.

Bills from the Senate, of the following titles, viz :

1. An act to authorize the County Court of Simpson to take and hold stock in a railroad or railroads.
2. An act authorizing the County Court of Russell to levy an additional tax on said county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with,

The 1st bill was then amended.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

A bill for the benefit of James E. Gardner, of Butler county, was read a second time, and ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

#### MONDAY, DECEMBER 29, 1851.

1. Mr. Burnam presented the petition of the Sheriff of Owsley county, praying further time to return his delinquent list.

2. Also, the petition of the Madison Library Company, praying an amendment to their charter.

3. Mr. Fitch presented the petition of sundry citizens of Fleming county, praying the passage of a law authorizing a tax as a salary for the County Court Judge of said county.

4. Mr. G. Green presented the memorial of Leonard Jones, asking that he be elected Senator in Congress.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Ways and Means; the 2d to the committee on Education; the 3d to the committee on County Courts; and the 4th to committee on Federal Relations.

A message was received from the Senate, by Mr. McHenry, announcing that they had concurred in the 1st, 2d, 3d, and 4th amendments proposed by this House, to a bill from the Senate, entitled, an act to amend the charter of the Shelby Railroad Company, and that they disagreed to the 5th amendment proposed by this House to said bill.



The 5th amendment to said bill reads as follows, viz :

§ 12. That before any vote shall be taken in the county of Shelby on the question of tax, the said company shall give a location of their road to be run through the county of Shelby and the town of Shelbyville, in an eastwardly direction, south of the Louisville and Shelbyville turnpike road, and in a westwardly direction from Shelbyville, between George Hudson's and said turnpike road, and an estimate of the cost of said road; and that the county court of said county shall give thirty days' notice, of said election, in the Shelby News and the Shelby Free Press.

The question was then taken on this House receding from said 5th amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sprigg and Monroe, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	David Griggs,	Opie J. Lindsay,
Granville C. Alfred,	Grant Green,	Henry D. McHenry,
William C. Anderson,	John J. Haley,	George R. McKee,
William Bailey,	Samuel Hatfield,	William McMillan,
Cleaton Bane,	Charles J. Helm,	William C. McNary,
Joseph H. Barlow,	Alvin Herndon,	Strother D. Mitchell,
John S. Boyd,	Thomas Hagins,	Elijah S. Mitchusson,
Joshua F. Bullitt,	John B. Holladay,	Andrew Monroe,
Curtis F. Burnam,	Alvin M. Hume,	Robert O. Morgan,
Isaac Burnett,	Benjamin F. Hume,	Samuel M. Moore,
Charles G. C. Canby,	Garland Hurt,	Thomas J. Nash,
Robert M. Carlisle,	William G. Jackson,	Micajah Oglesby,
A. D. Cosby,	John G. James,	Isaac N. Shepperd,
Edwin S. Craig,	Henry S. Johnson,	Daniel B. Stivers,
Jonathan Davis,	Alfred M. Jones,	Napoleon B. Stone,
Francis U. Dodds,	John A. Keith,	John J. Thomas,
James Edelin,	Benjamin H. Kerrick,	Thornton Triplett,
Price Edrington,	John B. Laffoon,	Drury Tye,
David Elms,	John J. Landrum,	Claiborne J. Walton,
Elisha S. Fitch,	Charles Lee,	Alex. H. Willingham,
Thomas R. Givens,	Joseph H. Lewis,	James C. Wilmore—65.
Jacob S. Golladay,	Robert G. Lewis,	

Those who voted in the negative, were

James P. Bates,	James C. Sprigg,	William C. Webster,
William C. Grier,	Green Sterett,	John S. Williams—8.
Joel W. Sallee,	Joshua H. Thomas.	

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act for the benefit of the administrators of James C. Leech, former Sheriff of Livingston county.

That they had passed bills and a resolution from this House, of the following titles, viz :

An act for the benefit of the Sheriff of Graves county.

An act for the benefit of Elizabeth Jones, as administratrix of George Jones, deceased.

An act for the benefit of Robert Butler, of Simpson county.

An act for the benefit of the town of Princeton.

An act for the benefit of Samuel T. Ray.

An act to change Magistrates' districts No. 1, in Crittenden county, and No. 1, in Madison county.

An act establishing additional Magistrates' and Constable's districts in Hancock county.

An act changing the line of Magistrates' and Constables' districts in Harrison county.

An act to change the line of the Burlington and Taylorsport election precinct in Boone county.

An act to amend an act, entitled, an act for the benefit of the heirs of James and Matthew Wakefield.

An act to establish a school district in Hancock county.

An act to amend an act establishing Morgantown Seminary, in Butler county.

An act to incorporate Albion Female Collegiate Institute.

An act to amend an act, entitled, an act to fix the time of holding the circuit courts of this commonwealth.

An act to amend the law in relation to working the public highways in the county of Mason.

An act for the benefit of the Sheriffs of Taylor and Cumberland counties.

An act relating to the poll tax in Campbell county.

An act to change the line of a voting district in Logan county, and a Justices' district in Boone county.

An act to change the county line between the counties of Grant and Kenton.

An act in relation to the districts in Franklin county.

A resolution respecting salutes on the 8th of January and 22d of February.

That they had passed bills of the following titles, viz :

An act for the benefit of common school district, No. 34, at Petersburg.

An act to incorporate the German Protestant Orphan Asylum.

An act to incorporate the Maysville Literary Institute.

An act to change the time of holding Justices' courts in the county of Bracken.

An act to divide Hopkins county into seven Magistrates' and Constables' districts and election precincts.

Mr. Mitchell, from the committee appointed to prepare and bring in the same, reported a bill to divide the state into congressional districts, which was read the first time, and ordered to be read a second time.

*Ordered*, That said bill have its second reading to-morrow, at 10 o'clock, A. M.; and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

An engrossed bill, entitled, an act to amend the charter of the Kentucky Trust Company Bank, was read the third time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the Kentucky Trust Company Bank may be appointed receiver for any court in this commonwealth, trustee for any person or corporation, treasurer for any society, person, or corporation; and whenever said bank shall be appointed to act in any of the foregoing capacities, and shall accept the trust, the capital stock of said bank shall, in every instance, be bound for the faithful discharge of such trust.

§ 2. Whereas, by the terms of the original charter of said bank, the amount of stock deposits, authorized to be made therein, is unlimited—for remedy whereof, *be it enacted*, that the directors of said bank may, at any time, limit by their "by-laws" the amount of such stock deposits to any sum which in their judgment will be the best policy for said bank and the community.

§ 3. That the said bank shall, hereafter, have the privilege of issuing bank notes, payable to the bearer in gold and silver coin on demand at its banking house, of denominations not less than one dollar; but the amount so to be issued shall at no time exceed the amount of the stock of said bank actually paid in; and all such notes, when presented at said banking house in regular banking hours, and payment demanded, shall be redeemed by said bank in gold and silver coin of the United States; and if said bank shall, at any time, fail or refuse to redeem any of such notes, when so presented, or unnecessarily delay the payment of the same, said bank shall forfeit and pay to the holder of such note or notes damages, at the rate of twelve per cent. per annum, for the delay occasioned, to be recovered by action in any court of justice within this commonwealth, having jurisdiction thereof; and for any such refusal or delay, it shall be lawful for the circuit court of the county in which said bank is situated, upon petition filed and sworn to by any citizen of this state, to appoint a commissioner to take possession of all the books, papers, money, and other property of said bank, and close its affairs under such orders and judgments as may by said court be rendered in the premises, and apply all and singular the effects of said bank to the payment of its creditors, *pro rata*, according to their several demands.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sprigg and Oglesby, were as follows, viz:



## Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	David Griggs,	John J. Landrum,
Granville C. Alfred,	John J. Haley,	Robert G. Lewis,
William Bailey,	Thomas R. Harman,	Opie J. Lindsay,
Joshua F. Bullitt,	Charles J. Helm,	George R. McKee,
Curtis F. Burnam,	John B. Holladay,	William C. McNary,
James L. Caldwell,	Alvin M. Hume,	Strother D. Mitchell,
Charles G. C. Canby,	Benjamin F. Hume,	Andrew Monroe,
Robert M. Carlisle,	Garland Hurt,	Samuel M. Moore,
A. D. Cosby,	William G. Jackson,	Isaac N. Shepperd,
Edwin S. Craig,	John G. James,	John J. Thomas,
James Edelin,	Henry S. Johnson,	Drury Tye,
Elisha S. Fitch,	Alfred M. Jones,	Claiborne J. Walton,
Francis Ford,	John A. Keith,	William C. Webster—41.
Thomas R. Givens,	Benjamin H. Kerriek,	

## Those who voted in the negative, were

William C. Anderson,	Grant Green,	Thomas J. Nash,
Cleaton Bane,	Samuel Hatfield,	Micajah Oglesby,
Joseph H. Barlow,	Alvin Herndon,	Joel W. Sallee,
John S. Boyd,	Thomas Hagins,	Elijah G. Seabee,
Isaac Burnett,	James H. Hundley,	James C. Sprigg,
Jonathan Davis,	John B. Laffoon,	Daniel B. Stivers,
Francis U. Dodds,	Charles Lee,	Napoleon B. Stone,
Ellis Duncan,	Joseph H. Lewis,	Joshua H. Thomas,
Price Edrington,	Henry D. McHenry,	Thornton Triplett,
David Elms,	William McMillan,	John S. Williams,
John F. Gaar,	Elijah S. Mitchusson,	Alex. H. Willingham,
Jacob S. Golladay,	Robert O. Morgan,	James C. Wilmore—38.
William C. Grier,	William F. Moore,	

*Resolved*, That the title thereof be as aforesaid.

Mr. J. J. Thomas, from the committee on Agriculture and Manufactures, moved the following resolutions, viz :

Whereas, it is represented that it is contemplated by the legislature of the state of Louisiana to abolish the voluntary system of inspection of pork, flour, and tobacco in the city of New Orleans ; and, whereas, such a step would result in serious loss and great inconvenience to the producers of those articles in the state of Kentucky. Therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the legislature of the state of Louisiana be and is hereby earnestly and respectfully requested to allow the voluntary system of inspection to remain as it now is.

*Resolved*, That the governor of this commonwealth be requested to forward a copy of this preamble and resolutions to the governor of Louisiana, with a request that he lay them before the legislature of that state.

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with, it was twice read, and adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on County Courts—1. A bill to authorize the clerks of the Nelson and Washington County Courts to cross index certain records.

By same—2. A bill authorizing the Judge of the Pendleton County Court to alter or change any election or Justices' district, or place of voting in said county.

By same—3. A bill to authorize appeals from County Court Judges.

By the committee on Ways and Means—4. A bill to create the offices of Police Judge and Marshal in the town of Greenville, in Muhlenburg county.

By the committee on the Judiciary—5. A bill to amend the charter of the Kentucky Female Orphan School.

By the committee on Religion—6. A bill to amend an act incorporating the Bardstown Female Academy.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 3d, 5th, and 6th, were severally ordered to be engrossed and read a third time; and the 4th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 3d, 5th, and 6th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Landrum, leave was given to bring in a bill to amend the charter of the Covington and Louisville Railroad Company.

*Ordered*, That the committee on Internal Improvement prepare and bring in the same.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill to amend the charter of the Louisville and Elizabethtown Turnpike Road Company, reported the same with amendments, which were concurred in.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Webster moved the following resolution, which was adopted, viz :

*Resolved*, That Mr. B. M. Patten, director of the Kentucky institution for the education of the blind, be allowed the use of this hall to give an exhibition of the attainments of his pupils to-morrow evening, at 7 o'clock.

A message was received from the Senate, announcing that they had passed a bill, entitled,

An act to adopt the Revised Statutes.

Bills from the Senate, of the following titles, viz :

1. An act to authorize the county of Graves to hold railroad stock.
2. An act to amend an act, entitled, an act to provide for the sale of Island No. 4, in the Mississippi river, approved February 29, 1848.
3. An act to authorize the appointment of persons to serve process in the justices' courts of the city of Louisville.
4. An act for the benefit of Jarvis Jackson, of Laurel county.
5. An act for the benefit of the administrator of Dixon Givens, deceased.
6. An act to incorporate the Union Agricultural and Mechanical Association.
7. An act to incorporate the town of Sharpsburg.
8. An act for the benefit of John Crume.
9. An act for the benefit of the children of Alexander Hammond, deceased.
10. An act further to regulate the town of Mount Gilead, in Pulaski county.
11. An act to amend the charter of the city of Augusta.
12. An act to amend an act, entitled, an act to establish the town of Brooklyn, in Campbell county, approved February 27, 1849.
13. An act to enlarge Magistrates' and Constable's district, No. 2, in Hopkins county.
14. An act to adopt the Revised Statutes.
15. An act to change the boundaries of certain election precincts in Trigg county, and for other purposes.
16. An act for the benefit of Milton Johnson, and others.
17. An act for the benefit of George S. Gravit, late Sheriff of Grant county.
18. An act supplemental to an act, entitled, an act to amend an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850, and for other purposes.
19. An act to allow a Police Judge and Town Marshal to the town of Cornishville, in Mercer county.
20. An act requiring the Mercer Circuit Court to index and cross index certain record books.
21. An act declaring the Somerset Gazette an authorized newspaper.
22. An act to establish and incorporate the town of Bloomington, in Franklin county.
23. An act to incorporate the Franklin Female Institute.



24. An act to incorporate the Louisville, Six Mile and Covington Railroad Company.
25. An act for the benefit of school district No. 29, in Owen county.
26. An act for the benefit of school districts Nos. 28 and 29, in Mercer county.
27. An act allowing public arms to the Kentucky Military Institute and Western Military Institute.
28. An act establishing additional voting places in Kenton and Campbell counties.
29. An act authorizing the Russell County Court to sell clerk's office furniture.
30. An act calling a convention in the city of Newport.
31. An act to add the residence of Geo. Spegall, in Pendleton county, to the county of Kenton.
32. An act for the benefit of Monroe county.
33. An act to create an additional Constable's and Justices' district in Hickman county.
34. An act to incorporate Mills Point Lodge, No. 120, of Free and Accepted Masons.
35. An act to establish an election precinct in Keysburg, in Logan county.
36. An act to increase the powers of the Marshal of New Liberty.
37. An act to incorporate Pleasant Grove Division, No. 253, in Trimble county.
38. An act in relation to the Harrodsburg, Cane Run, and Big Spring Turnpike Road Company.
39. An act to incorporate the Owingsville and Poplar Plains Turnpike Road Company.
40. An act to incorporate the Owingsville and Mountsterling Turnpike Road Company.
41. An act for the benefit of the Covington and Lexington Railroad Company.
42. An act for the benefit of Samuel Woodson, late Clerk of the Hopkins Circuit Court.
43. An act more effectually to suppress the practice of gambling.
44. An act to authorize the sale of the Methodist Parsonage, in Salvisa, in Mercer county.
45. An act to allow Justices of the Peace, and others, to take depositions.
46. An act to authorize the county of Henry to subscribe stock in the Louisville and Covington Railroad.

47. An act to authorize the New Orleans, Jackson, and Northern Railroad Company, to extend their railroad from the south boundary line of the state of Kentucky to the Ohio and Tennessee rivers, within certain prescribed limits named, in this state.

48. An act to change the line of the Justices' and Constables' districts, Nos. 1 and 3, in Green county.

49. An act to authorize the election of a Police Judge, Marshal, and a Tax Commissioner in the town of Columbus.

50. An act for the benefit of Samuel P. Lasley, and Mary his wife.

51. An act to change the time of holding the fall term of the Estill Circuit Court.

52. An act to establish the town of Stylesville, in Pulaski county.

53. An act to authorize the County Court of Daviess, and other counties so disposed, to subscribe stock in the Louisville and Mississippi Railroad Company, and in the Louisville and Nashville Railroad Company.

54. An act to establish an additional Justices' district and election precinct in Nicholas county.

55. An act to incorporate the Versailles and Woodford County Railroad Company.

56. An act to amend the charter of the Louisville and Frankfort Railroad Company.

57. An act to divide Hopkins county into seven Magistrates' and Constables' districts.

58. An act to change the time of holding Justices' courts in the county of Bracken.

59. An act to incorporate the Maysville Literary Institute.

60. An act to incorporate the German Protestant Orphan Asylum Company.

61. An act for the benefit of common school district, No. 34, at Petersburg.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 10th, 13th, 15th, 17th, 23d, 28th, 29th, 31st, 32d, 33d, 34th, 35th, 37th, 39th, 40th, 41st, 42d, 48th, 50th, 52d, 54th, 57th, 58th, 59th, and 61st, were severally ordered to be read a third time; the 3d, 5th, 6th, 7th, 9th, 11th, 12th, 18th, 19th, 21st, 22d, 30th, 36th, 45th, 46th, and 49th, were referred to the committee on the Judiciary; the 4th, 25th, 26th, and 60th, to the committee on Education; the 8th, 24th, 38th, 47th, 53d, 55th, and 56th, to the committee on Internal Improvement; the 14th and 43d to the committee on Revised Statutes; the 16th to the committee on Proposi-

tions and Grievances; the 20th and 51st to the committee on Circuit Courts; the 27th to the committee on Military Affairs; and the 44th to the committee on Religion.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 10th, 13th, 15th, 17th, 23d, 28th, 29th, 31st, 32d, 33d, 34th, 35th, 37th, 39th, 40th, 41st, 42d, 48th, 50th, 52d, 54th, 57th, 58th, 59th, and 61st bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

## TUESDAY, DECEMBER 30, 1851.

Mr. McHenry read and laid on the table the following resolution, to-wit:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That if the present session of the general assembly be prolonged beyond sixty days, from the beginning of the session, that when this general assembly adjourns on the 12th day of January next, it will adjourn *sine die*.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

The question was then taken on the adoption of the same, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burnett and A. M. Hume, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker (Robertson,) Thomas R. Harman,  
Granville C. Alfred, Alvin Herndon,  
Charles M. Briggs, Thomas Hagins,  
Joshua F. Bullitt, Benjamin F. Hume,  
Curtis F. Burnam, James H. Hundley,  
James L. Caldwell, Garland Hurt,  
John Calvert, William G. Jackson,  
Charles G. C. Canby, John G. James,  
Hezekiah Cox, Henry S. Johnson,  
Edwin S. Craig, Alfred M. Jones,

Andrew Monroe,  
Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
William T. Samuels,  
James C. Sprigg,  
Green Sterett,



Ellis Duncan,  
James Edelin,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
John F. Gaar,  
William C. Grier,  
David Griggs,  
Norvin Green,  
John J. Haley,

John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Charles Lee,  
Joseph H. Lewis,  
Robert G. Lewis,  
Henry D. McHenry,  
George R. McKee,  
William C. McNary,  
Strother D. Mitchell,

Daniel B. Stivers,  
John J. Thomas,  
Joshua H. Thomas,  
Lawrence S. Trimble,  
Francis Troutman,  
Drury Tye,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
James C. Wilmore—60.

Those who voted in the negative, were

William C. Anderson,  
William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
Isaac Burnett,  
Robert M. Carlisle,  
Jonathan Davis,  
Francis U. Dodds,

Price Edrington,  
David Elms,  
Thomas R. Givens,  
Jacob S. Golladay,  
Grant Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin M. Hume,  
John B. Laffoon,

Opie J. Lindsay,  
William McMillan,  
Elijah S. Mitchusson,  
Robert O. Morgan,  
Thomas J. Nash,  
Elijah G. Sebree,  
Isaac N. Shepperd,  
Napoleon B. Stone,  
Thornton Triplett—23.

1. Mr. Edrington presented the petition of the citizens of Madrid Rend, in Fulton county, praying to be added to the state of Tennessee.

2. Mr. W. F. Moore presented the petition of sundry citizens of Lawrence county, praying that Wolf creek may be declared navigable.

3. Mr. Johnson presented the petition of L. S. Luttrell, and sundry others, of Mason county, in relation to working on roads in said county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Federal Relations; the 2d to the committee on Ways and Means; and the 3d to the committee on Propositions and Grievances.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act to authorize the County Court of Simpson to take and hold stock in a railroad or railroads.

That they had passed bills from this House, of the following titles, to-wit:

An act changing part of the line between Oldham and Shelby counties.

An act authorizing the trustees of Russellville to tax nine and ten pin alleys.

An act to establish the county of Powell.

An act incorporating the Napoleon and Big Bone Lick Turnpike Road Company.

An act better to define the boundary lines of Todd county.

An act to change the voting place in district No. 4, in Henderson county.

An act to change the line between districts Nos. 1 and 2, in Lincoln county.

An act to incorporate the Turkey Foot Turnpike Road Company.

An act for the benefit of Hiram Senior, of Union county, and Benjamin R. Briggs, of Ohio county.

An act to charter the Knob Lick Turnpike Road Company.

An act to incorporate the Crab Orchard and Mount Vernon Turnpike Road Company.

An act to amend the charter of the Perryville and Springfield Turnpike Road Company.

That they had passed bills of the following titles, viz:

An act to incorporate the Commercial Bank of Paducah.

An act to amend the charter of the Covington and Lexington Railroad Company.

An act to amend an act, entitled, an act to incorporate the Georgetown and Louisville Branch Railroad.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cox—1. A bill to charter the Union Bank of Kentucky, at Milton.

On motion of Mr. Briggs—2. A bill to amend an act, entitled, an act concerning the town of Bowlinggreen.

*Ordered*, That the committee on Banks prepare and bring in the 1st; and Messrs. Briggs, Samuels, and Monroe, the 2d.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to amend an act, entitled, an act to establish the town of Brooklyn, in Campbell county, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill to incorporate the Coal Haven Coal Mining Company.

By same—2. A bill to incorporate the Coal Haven Manufacturing Company.

By same—3. A bill to incorporate the New Castle Division, No. 114, Sons of Temperance.

By same—4. A bill to amend the charter of the Winchester and Paris Turnpike Road Company.

By the committee on Ways and Means—5. A bill to meet the deficit in the treasury.

By the committee on the Judiciary—6. A bill to authorize certain counties in this state to subscribe stock in the Henderson and Nashville Railroad Company.

By same—7. A bill to incorporate the Covington Library Association, and to amend an act, approved December, 1830, incorporating the Madison Library Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 2d, 3d, 4th, 6th, and 7th were severally ordered to be engrossed and read a third time; and the 5th was referred to the committee of the whole, and made the special order of the day for to-morrow, at 10 o'clock, A. M.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 6th, and 7th bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act to incorporate the Commercial Bank of Paducah, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

*Ordered*, That said bill have its third reading on to-morrow, at 10 o'clock, A. M.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to authorize the county of Henry to subscribe stock in the Louisville and Covington Railroad, reported the same with an amendment, which was concurred in.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

A bill to divide the state into congressional districts, was read the second time, as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That this state shall be divided into ten congressional districts, as follows, viz :



The first district shall be composed of the counties of Fulton, Hickman, Ballard, Graves, McCracken, Marshall, Calloway, Trigg, Crittenden, Caldwell, Livingston, Union, and Hopkins.

The second district shall be composed of the counties of Christian, Muhlenburg, Henderson, Daviess, Ohio, Butler, Hancock, Breckinridge, Grayson, and Edmonson.

The third district shall be composed of the counties of Todd, Logan, Simpson, Warren, Barren, Monroe, Hart, and Allen.

The fourth district shall be composed of the counties of Cumberland, Clinton, Wayne, Pulaski, Russell, Adair, Green, Casey, Lincoln, Boyle, and Taylor.

The fifth district shall be composed of the counties of Meade, Hardin, Nelson, Bullitt, Spencer, Washington, Marion, Mercer, and Larue.

The sixth district shall be composed of the counties of Garrard, Madison, Rockcastle, Laurel, Knox, Estill, Owsley, Clay, Perry, Letcher, Harlan, Pike, Floyd, Johnson, Breathitt, Morgan, and Whitley.

The seventh district shall be composed of the counties of Shelby, Jefferson, Henry, and Oldham.

The eighth district shall be composed of the counties of Nicholas, Bourbon, Fayette, Woodford, Scott, Franklin, Jessamine, and Anderson.

The ninth district shall be composed of the counties of Clarke, Montgomery, Bath, Fleming, Greenup, Carter, Lewis, Lawrence, Mason, and Bracken.

The tenth district shall be composed of the counties of Pendleton, Campbell, Kenton, Grant, Boone, Gallatin, Harrison, Owen, Carroll, and Trimble.

§ 2. That on the first Monday in August, 1853, and on the same day of said month every two years thereafter, the qualified voters of the several districts aforesaid, at the places where they vote for representatives in the general assembly, shall vote for some fit person, who shall reside in this state, being twenty-five years of age, and having been seven years a citizen of the United States, to represent them in the congress of the United States.

Mr. Burnett moved to amend said bill, by striking out all after the enacting clause, and inserting the following, viz :

That this state shall be, and is hereby divided into ten congressional districts, as follows :

The first district shall be composed of the counties of Hickman, Fulton, Ballard, Graves, McCracken, Marshall, Calloway, Trigg, Caldwell, Crittenden, Livingston, Union, and Hopkins.

The second district shall be composed of the counties of Christian, Muhlenburg, Henderson, Daviess, Ohio, Butler, Hancock, Breckinridge, Grayson, Edmonson, and Meade.

The third district shall be composed of the counties of Todd, Logan, Simpson, Warren, Allen, Barren, Monroe, and Hart.

The fourth district shall be composed of the counties of Cumberland, Clinton, Wayne, Pulaski, Russell, Adair, Green, Taylor, Casey, Lincoln, and Boyle.

The fifth district shall be composed of the counties of Hardin, Nelson, Larue, Bullitt, Spencer, Washington, Marion, Anderson, and Mercer.

The sixth district shall be composed of the counties of Garrard, Madison, Rockcastle, Laurel, Knox, Estill, Owsley, Clay, Perry, Letcher, Whitley, Harlan, Pike, Floyd, and Johnson.

The seventh district shall be composed of the counties of Jefferson, Shelby, Henry, Oldham, Trimble, and Carroll.

The eighth district shall be composed of the counties of Bourbon, Fayette, Jessamine, Woodford, Scott, Franklin, and Owen.

The ninth district shall be composed of the counties of Clarke, Montgomery, Bath, Morgan, Fleming, Greenup, Carter, Lewis, Lawrence, and Breathitt.

The tenth district shall be composed of the counties of Mason, Nicholas, Bracken, Pendleton, Campbell, Kenton, Grant, Boone, Gallatin, and Harrison.

Mr. Samuels moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sprigg and Trimble, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	Thomas R. Harman,	Strother D. Mitchell,
Charles M. Briggs,	John B. Holladay,	Andrew Monroe,
Joshua F. Bullitt,	Benjamin F. Hume,	Barnett C. Moran,
Curtis F. Burnam,	James H. Hundley,	William F. Moore,
James L. Caldwell,	William G. Jackson,	Birch Musselman,
Edwin S. Craig,	John G. James,	William T. Samuels,
Ellis Duncan,	Henry S. Johnson,	Elijah G. Sebree,
Christian Engleman,	John A. Keith,	Isaac N. Shepperd,
Elisha S. Fitch,	Benjamin H. Kerrick,	Daniel B. Stivers,
Francis Ford,	Joseph H. Lewis,	Francis Troutman,
Thomas R. Givens,	Robert G. Lewis,	Drury Tye,
Jacob S. Golladay,	Opie J. Lindsay,	John S. Williams,
David Griggs,	William C. McNary,	Chas. G. Wintersmith—40.
John J. Haley,		

Those who voted in the negative, were

William C. Anderson,	John F. Gaar,	Elijah S. Mitchusson,
William Bailey,	William C. Grier,	Robert O. Morgan,
Cleaton Bane,	Grant Green,	Samuel M. Moore,
Joseph H. Barlow,	Norvin Green,	Thomas J. Nash,
James P. Bates,	Samuel Hatfield,	Micajah Oglesby,
John S. Boyd,	Charles J. Helm,	John J. Park,
A. H. Bryan,	Alvin Herndon,	Joel W. Sallee,
Isaac Burnett,	Thomas Hagins,	James C. Sprigg,
John Calvert,	Alvin M. Hume,	Green Sterett,
Charles G. C. Canby,	Garland Hurt,	Napoleon B. Stone,
Robert M. Carlisle,	Alfred M. Jones,	John J. Thomas,
A. D. Cosby,	John B. Laffoon,	Joshua H. Thomas,
Hezekiah Cox,	John J. Landrum,	Lawrence S. Trimble,
Jonathan Davis,	Charles Lee,	Thornton Triplett,
Francis U. Dodds,	Thomas F. Marshall,	Claiborne J. Walton,
James Edelin,	Henry D. McHenry,	William C. Webster,
Price Edrington,	George R. McKee,	Alex. H. Willingham,
David Elms,	William McMillan,	James C. Wilmore—54.

And after some discussion had on said bill, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

Mr. Monroe moved that a message be sent to the Senate announcing that this House was ready, according to law, to proceed to the election of a Senator in Congress, in place of Mr. Clay, resigned.

Mr. Bates insisted that said motion was out of order.

The Speaker decided the motion in order; from which decision of the chair Mr. Bates took an appeal.

Mr. Anderson moved to lay said appeal on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bates and Sprigg, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John B. Holladay,	Barnett C. Moran,
Granville C. Alfred,	Benjamin F. Hume,	William F. Moore,
William C. Anderson,	James H. Hundley,	Birch Musselman,
Charles M. Briggs,	William G. Jackson,	Micajah Oglesby,
Joshua F. Bullitt,	John G. James,	Joel W. Sallee,
Curtis F. Burnam,	Henry S. Johnson,	William T. Samuels,
James L. Caldwell,	Alfred M. Jones,	Elijah G. Sebree,
A. D. Cosby,	John A. Keith,	Isaac N. Shepperd,
Edwin S. Craig,	Benjamin H. Kerrick,	Green Sterett,
Ellis Duncan,	John J. Landrum,	Daniel B. Stivers,
Christian Engleman,	Joseph H. Lewis,	Napoleon B. Stone,
Elisha S. Fitch,	Robert G. Lewis,	John J. Thomas,
Francis Ford,	Opie J. Lindsay,	Joshua H. Thomas,
Thomas R. Givens,	Thomas F. Marshall,	Francis Troutman,
Jacob S. Golladay,	Henry D. McHenry,	Drury Tye,
David Griggs,	George R. McKee,	Claiborne J. Walton,
Grant Green,	William C. McNary,	John S. Williams,
John J. Haley,	Strother D. Mitchell,	James C. Wilmore,
Thomas R. Harman,	Andrew Monroe,	Chas. G. Wintersmith—57.

Those who voted in the negative, were

William Bailey,	James Edelin,	Charles Lee,
Cleaton Bane,	Price Edrington,	William McMillan,
Joseph H. Barlow,	David Elms,	Elijah S. Mitchusson,
James P. Bates,	John F. Gaar,	Robert O. Morgan,
John S. Boyd,	William C. Grier,	Samuel M. Moore,
A. H. Bryan,	Samuel Hatfield,	Thomas J. Nash,
Isaac Burnett,	Charles J. Helm,	John J. Park,
John Calvert,	Alvin Herndon,	James C. Sprigg,
Charles G. C. Canby,	Thomas Hagins,	Lawrence S. Trimble,
Robert M. Carlisle,	Alvin M. Hume,	Thornton Triplett,
Hezekiah Cox,	Garland Hurt,	William C. Webster,
Jonathan Davis,	John B. Laffoon,	Alex. H. Willingham—37.
Francis U. Dodds,		



Mr. Monroe moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sprigg and Webster, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John J. Haley,	Andrew Monroe,
Granville C. Alfred,	Thomas R. Harman,	Barnett C. Moran,
William C. Anderson,	John B. Holladay,	William F. Moore,
Charles M. Briggs,	Benjamin F. Hume,	Birch Musselman,
Joshua F. Bullitt,	James H. Hundley,	Micajah Oglesby,
Curtis F. Burnam,	William G. Jackson,	Joel W. Sallee,
James L. Caldwell,	John G. James,	William T. Samuels,
Charles G. C. Canby,	Henry S. Johnson,	Elijah G. Sebree,
Robert M. Carlisle,	Alfred M. Jones,	Isaac N. Shepperd,
A. D. Cosby,	John A. Keith,	Green Sterett,
Edwin S. Craig,	Benjamin H. Kerrick,	Daniel B. Stivers,
Jonathan Davis,	John J. Landrum,	Napoleon B. Stone,
Ellis Duncan,	Joseph H. Lewis,	Joshua H. Thomas,
Christian Engleman,	Robert G. Lewis,	Francis Troutman,
Elisha S. Fitch,	Opie J. Lindsay,	Drury Tye,
Francis Ford,	Thomas F. Marshall,	Claiborne J. Walton,
Thomas R. Givens,	Henry D. McHenry,	John S. Williams,
Jacob S. Golladay,	William C. McNary,	James C. Wilmore,
David Griggs,	Strother D. Mitchell,	Chas. G. Wintersmith—57.

Those who voted in the negative, were

William Bailey,	David Elms,	Charles Lee,
Cleaton Bane,	John F. Gaar,	William McMillan,
Joseph H. Barlow,	William C. Grier,	Elijah S. Mitchusson,
James P. Bates,	Grant Green,	Robert O. Morgan,
John S. Boyd,	Norvin Green,	Samuel M. Moore,
A. H. Bryan,	Samuel Hatfield,	Thomas J. Nash,
Isaac Burnett,	Charles J. Helm,	John J. Park,
John Calvert,	Alvin Herndon,	James C. Sprigg,
Hezekiah Cox,	Thomas Hagins,	John J. Thomas,
Francis U. Dodds,	Alvin M. Hume,	Lawrence S. Trimble,
James Edelin,	Garland Hurt,	William C. Webster,
Price Edrington,	John B. Laffoon,	Alex. H. Willingham—36.

The question was then taken on the adoption of the motion of Mr. Monroe, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sprigg and Bates, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Thomas R. Harman,	Andrew Monroe,
Granville C. Alfred,	John B. Holladay,	Barnett C. Moran,
William C. Anderson,	Benjamin F. Hume,	William F. Moore,
Charles M. Briggs,	James H. Hundley,	Birch Musselman,
Joshua F. Bullitt,	William G. Jackson,	Micajah Oglesby,

Curtis F. Burnam,	John G. James,	Joel W. Sallee,
James L. Caldwell,	Henry S. Johnson,	William T. Samuels,
Charles G. C. Canby,	Alfred M. Jones,	Elijah G. Seebree,
Robert M. Carlisle,	John A. Keith,	Isaac N. Shepperd,
A. D. Cosby,	Benjamin H. Kerrick,	Green Sterett,
Edwin S. Craig,	John J. Landrum,	Daniel B. Stivers,
Ellis Duncan,	Joseph H. Lewis,	Napoleon B. Stone,
Christian Engleman,	Robert G. Lewis,	Joshua H. Thomas,
Elisha S. Fitch,	Opie J. Lindsay,	Francis Troutman,
Francis Ford,	Thomas F. Marshall,	Drury Tye,
Thomas R. Givens,	Henry D. McHenry,	Claiborne J. Walton,
Jacob S. Golladay,	George R. McKee,	John S. Williams,
David Griggs,	William C. McNary,	James C. Wilmore,
John J. Haley,	Strother D. Mitchell,	Chas. G. Wintersmith—57.

Those who voted in the negative, were

William Bailey,	David Elms,	William McMillan,
Cleaton Bane,	John F. Gaar,	Elijah S. Mitchusson,
Joseph H. Barlow,	William C. Grier,	Robert O. Morgan,
James P. Bates,	Grant Green,	Samuel M. Moore,
John S. Boyd,	Norvin Green,	Thomas J. Nash,
A. H. Bryan,	Samuel Hatfield,	John J. Park,
Isaac Burnett,	Charles J. Helm,	James C. Sprigg,
John Calvert,	Alvin Herndon,	John J. Thomas,
Hezekiah Cox,	Thomas Hagins,	Lawrence S. Trimble,
Jonathan Davis,	Alvin M. Hume,	Thornton Triplett,
Francis U. Dodds,	Garland Hurt,	William C. Webster,
James Edelin,	John B. Laffoon,	Alex. H. Willingham—38.
Price Edrington,	Charles Lee,	

*Ordered*, That Mr. Monroe inform the Senate thereof.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz :

An act to incorporate the Coal Haven Coal Mining Company of Daviess county.

An act to incorporate the Coal Haven Manufacturing Company.

Mr. R. G. Lewis nominated Mr. George Robertson as a suitable person to fill the office of Senator in Congress in the place of the Hon. H. Clay.

Mr. S. M. Moore nominated Mr. Elijah Hise.

Mr. Samuels nominated Mr. Charles S. Morehead, and

Mr. Mitchell nominated Mr. Archibald Dixon.

And after interchanging nominations with the Senate, this House proceeded to take a vote, which stood thus :

Those who voted for Mr. Robertson, were

Granville C. Alfred,	Benjamin F. Hume,	George R. McKee,
William C. Anderson,	James H. Hundley,	Isaac N. Shepperd,
Curtis F. Burnam,	William G. Jackson,	Daniel B. Stivers,
Christian Engleman,	John G. James,	Napoleon B. Stone,
Elisha S. Fitch,	Robert G. Lewis,	Francis Troutman,
Thomas R. Harman,	Opie J. Lindsay,	Drury Tye—18.

## Those who voted for Mr. Hise, were

William Bailey,	Price Edrington,	William McMillan,
Cleaton Bane,	David Elms,	Elijah S. Mitchusson,
Joseph H. Barlow,	John F. Gaar,	Robert O. Morgan,
James P. Bates,	William C. Grier,	Samuel M. Moore,
John S. Boyd,	Grant Green,	Thomas J. Nash,
A. H. Bryan,	Norvin Green,	Micajah Oglesby,
Isaac Burnett,	Samuel Hatfield,	John J. Park,
John Calvert,	Charles J. Helm,	Joel W. Sallee,
Charles G. C. Canby,	Alvin Herndon,	John J. Thomas,
Robert M. Carlisle,	Thomas Hagins,	Lawrence S. Trimble,
Hezekiah Cox,	Alvin M. Hume,	Thornton Triplett,
Jonathan Davis,	Garland Hurt,	Claiborne J. Walton,
Francis U. Dodds,	John B. Laffoon,	William C. Webster,
James Edelin,	Charles Lee,	Alex. H. Willingham—42.

## Those who voted for Mr. Morehead, were

Charles M. Briggs,	Edwin S. Craig,	Birch Musselman,
Joshua F. Bullitt,	Ellis Duncan,	William T. Samuels,
James L. Caldwell,	Thomas F. Marshall,	James C. Wilmore,
Willis S. Chaplin,	Andrew Monroe,	Chas. G. Wintersmith—12.

## Those who voted for Mr. Dixon, were

A. D. Cosby,	Alfred M. Jones,	Barnett C. Moran,
Francis Ford,	John A. Keith,	William F. Moore,
Thomas R. Givens,	Benjamin H. Kerrick,	Elijah G. Sebree,
Jacob S. Golladay,	John J. Landrum,	James C. Sprigg,
David Griggs,	Joseph H. Lewis,	Green Sterett,
John J. Haley,	Henry D. McHenry,	Joshua H. Thomas,
John B. Holladay,	William C. McNary,	John S. Williams—23.
Henry S. Johnson,	Strother D. Mitchell,	

Messrs. Helm, J. H. Lewis, and J. J. Thomas, were appointed a committee on the part of this House to meet a similar committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Helm, from said committee, reported that the joint vote stood thus :

For Mr. Robertson,	-	-	-	-	-	-	-	21
For Mr. Hise,	-	-	-	-	-	-	-	59
For Mr. Morehead,	-	-	-	-	-	-	-	19
For Mr. Dixon,	-	-	-	-	-	-	-	34

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus :

## Those who voted for Mr. Robertson, were

Granville C. Alfred,	James H. Hundley,	William F. Moore,
William C. Anderson,	William G. Jackson,	Birch Musselman,
Curtis F. Burnam,	John G. James,	Daniel B. Stivers,
Christian Engleman,	Robert G. Lewis,	Napoleon B. Stone,
Elisha S. Fitch,	Opie J. Lindsay,	Francis Troutman,
Thomas R. Harman,	George R. McKee,	Drury Tye—19.
Benjamin F. Hume,		



## Those who voted for Mr. Hise, were

William Bailey,	Price Edrington,	William McMillan,
Cleaton Bane,	David Elms,	Elijah S. Mitchusson,
Joseph H. Barlow,	John F. Gaar,	Robert O. Morgan,
James P. Bates,	William C. Grier,	Samuel M. Moore,
John S. Boyd,	Grant Green,	Thomas J. Nash,
A. H. Bryan,	Norvin Green,	John J. Park,
Isaac Burnett,	Samuel Hatfield,	Joel W. Sallee,
John Calvert,	Charles J. Helm,	John J. Thomes,
Charles G. C. Canby,	Alvin Herndon,	Lawrence S. Trimble,
Robert M. Carlisle,	Thomas Hagins,	Thornton Triplett,
Hezekiah Cox,	Alvin M. Hume,	Claiborne J. Walton,
Jonathan Davis,	Garland Hurt,	William C. Webster,
Francis U. Dodds,	John B. Laffoon,	Alex. H. Willingham—41.
James Edelin,	Charles Lee,	

## Those who voted for Mr. Morehead, were

Charles M. Briggs,	Edwin S. Craig,	William T. Samuels,
Joshua F. Bullitt,	Ellis Duncan,	James C. Wilmore,
James L. Caldwell,	Thomas F. Marshall,	Chas. G. Wintersmith—11.
Willis S. Chaplin,	Andrew Monroe,	

## Those who voted for Mr. Dixon, were

A. D. Cosby,	Alfred M. Jones,	Barnett C. Moran,
Francis Ford,	John A. Keith,	Micajah Oglesby,
Thomas R. Givens,	Benjamin H. Kerrick,	Elijah G. Seabee,
Jacob S. Golladay,	John J. Landrum,	Isaac N. Shepperd,
David Griggs,	Joseph H. Lewis,	James C. Sprigg,
John J. Haley,	Henry D. McHenry,	Green Sterett,
John B. Holladay,	William C. McNary,	Joshua H. Thomas,
Henry S. Johnson,	Strother D. Mitchell,	John S. Williams,—24.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Helm, from said committee, reported that the joint vote stood thus :

For Mr. Robertson,	-	-	-	-	-	-	-	23
For Mr. Hise,	-	-	-	-	-	-	-	57
For Mr. Morehead,	-	-	-	-	-	-	-	18
For Mr. Dixon,	-	-	-	-	-	-	-	34

Mr. Anderson then nominated Mr. James Harlan as a suitable person to fill the office of Senator in Congress.

And after interchanging nominations, this House proceeded to take another vote, which stood thus :

## Those who voted for Mr. Harlan, were

William C. Anderson, William C. McNary—2.

## Those who voted for Mr. Robertson, were

Granville C. Alfred, James H. Hundley, George R. McKee,  
Curtis F. Burnam, William G. Jackson, Daniel B. Stivers,

Christian Engleman,  
Elisha S. Fitch,  
Thomas R. Harman,  
Benjamin F. Hume,

John G. James,  
Robert G. Lewis,  
Opie J. Lindsay,

Napoleon B. Stone,  
Francis Troutman  
Drury Tye—16.

Those who voted for Mr. Hise, were

William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Hezekiah Cox,  
Jonathan Davis,  
Francis U. Dodds,

James Edelin,  
Price Edrington,  
David Elms,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Alvin M. Hume,  
Garland Hurt,

John B. Laffoon,  
Charles Lee,  
William McMillan,  
Elijah S. Mitchusson,  
Robert O. Morgan,  
Samuel M. Moore,  
John J. Park,  
Joel W. Sallee,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
Alex. H. Willingham—37.

Those who voted for Mr. Morehead, were

Charles M. Briggs,  
Joshua F. Bullitt,  
James L. Caldwell,  
Willis S. Chaplin,  
Edwin S. Craig,

Ellis Duncan,  
Norvin Green,  
Thomas F. Marshall,  
Andrew Monroe,

William T. Samuels,  
William C. Webster,  
James C. Wilmore,  
Chas. G. Wintersmith—13.

Those who voted for Mr. Dixon, were

A. D. Cosby,  
Francis Ford,  
Thomas R. Givens,  
Jacob S. Golladay,  
David Griggs,  
John J. Haley,  
John B. Holladay,  
Henry S. Johnson,  
Alfred M. Jones,

John A. Keith,  
Benjamin H. Kerrick,  
John J. Landrum,  
Joseph H. Lewis,  
Henry D. McHenry,  
Strother D. Mitchell,  
Barnett C. Moran,  
William F. Moore,  
Thomas J. Nash,

Micajah Oglesby,  
Elijah G. Seebree,  
Isaac N. Shepperd,  
James C. Sprigg,  
Green Sterett,  
John J. Thomas,  
Joshua H. Thomas,  
John S. Williams—26.

For Mr. T. F. Marshall—Birch Musselman.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Helm, from said committee, reported that the joint vote stood thus:

For Mr. Robertson,	-	-	-	-	-	-	-	20
For Mr. Hise,	-	-	-	-	-	-	-	53
For Mr. Morehead,	-	-	-	-	-	-	-	19
For Mr. Dixon,	-	-	-	-	-	-	-	36
For Mr. Harlan,	-	-	-	-	-	-	-	4
For Mr. T. F. Marshall,	-	-	-	-	-	-	-	1

Mr. S. M. Moore then withdrew the nomination of Mr. Elijah Hise, and

Mr. Anderson withdrew the nomination of Mr. James Harlan.

Mr. Bates then nominated Mr. James Guthrie as a suitable person to fill the office of Senator in Congress, and Mr. Marshall nominated Mr. James Harlan; and the vote being taken, it stood thus:

Those who voted for Mr. Harlan, were

Willis S. Chaplin, Thomas F. Marshall, John J. Park—3.

Those who voted for Mr. Robertson, were

Granville C. Alfred,	Benjamin F. Hume,	George R. McKee,
William C. Anderson,	James H. Hundley,	Isaac N. Shepperd,
Curtis F. Burnam,	William G. Jackson,	Daniel B. Stivers,
Christian Engleman,	John G. James,	Napoleon B. Stone,
Elisha S. Fitch,	Robert G. Lewis,	Francis Troutman,
Thomas R. Harman,	Opie J. Lindsay,	Drury Tye—18.

Those who voted for Mr. Morehead, were

Charles M. Briggs,	Edwin S. Craig,	Micajah Oglesby,
Joshua F. Bullitt,	Ellis Duncan,	William T. Samuels,
James L. Caldwell,	Andrew Monroe,	James C. Wilmore,
John Calvert,	Birch Musselman,	Chas. G. Wintersmith—12.

Those who voted for Mr. Dixon, were

A. D. Cosby,	Alfred M. Jones,	Barnett C. Moran,
Francis Ford,	John A. Keith,	William F. Moore,
Thomas R. Givens,	Benjamin H. Kerrick,	Elijah G. Seabee,
Jacob S. Golladay,	John J. Landrum,	James C. Sprigg,
David Griggs,	Joseph H. Lewis,	Green Sterett,
Grant Green,	Henry D. McHenry,	John J. Thomas,
John J. Haley,	William C. McNary,	Joshua H. Thomas,
John B. Holladay,	Strother D. Mitchell,	John S. Williams—25.
Henry S. Johnson,		

Those who voted for Mr. Guthrie, were

William Bailey,	Price Edrington,	Charles Lee,
Cleaton Bane,	David Elms,	William McMillan,
Joseph H. Barlow,	John F. Gaar,	Elijah S. Mitchusson,
James P. Bates,	William C. Grier,	Robert O. Morgan,
John S. Boyd,	Norvin Green,	Samuel M. Moore,
A. H. Bryan,	Samuel Hatfield,	Thomas J. Nash,
Isaac Burnett,	Charles J. Helm,	Joel W. Sallee,
Charles G. C. Canby,	Alvin Herndon,	Lawrence S. Trimble,
Robert M. Carlisle,	Thomas Hagins,	Thornton Triplett,
Hezekiah Cox,	Alvin M. Hume,	Claiborne J. Walton,
Jonathan Davis,	Garland Hurt,	William C. Webster,
Francis U. Dodds,	John B. Laffoon,	Alex. H. Willingham—37.
James Edelin,		

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Helm, from said committee, reported that the joint vote stood thus:



For Mr. Robertson,	-	-	-	-	-	-	20
For Mr. Morehead,	-	-	-	-	-	-	20
For Mr. Dixon,	-	-	-	-	-	-	35
For Mr. Guthrie,	-	-	-	-	-	-	52
For Mr. Harlan,	-	-	-	-	-	-	6

Mr. Marshall then withdrew the nomination of Mr. James Harlan.  
At 5 o'clock, P. M., Mr. Webster moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hurt and Webster, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,	Grant Green,	Elijah S. Mitchusson,
Cleaton Bane,	Norvin Green,	Samuel M. Moore,
James P. Bates,	Samuel Hatfield,	Thomas J. Nash,
Charles M. Briggs,	Charles J. Helm,	Micajah Oglesby,
Isaac Burnett,	Alvin Herndon,	John J. Park,
John Calvert,	Thomas Hagins,	Claiborne J. Walton,
Willis S. Chaplin,	Garland Hurt,	William C. Webster,
Jonathan Davis,	John B. Laffoon,	Alex. H. Willingham,
Ellis Duncan,	Thomas F. Marshall,	James C. Wilmore,
John F. Gaar,	William McMillan,	Chas. G. Wintersmith—30.

Those who voted in the negative, were

Granville C. Alfred,	Jacob S. Golladay,	William C. McNary,
William C. Anderson,	David Griggs,	Strother D. Mitchell,
Joseph H. Barlow,	John J. Haley,	Andrew Monroe,
John S. Boyd,	Thomas R. Harman,	Burnett C. Moran,
A. H. Bryan,	John B. Holladay,	Robert O. Morgan,
Joshua F. Bullitt,	Alvin M. Hume,	William F. Moore,
Curtis F. Burnam,	Benjamin F. Hume,	Birch Musselman,
James L. Caldwell,	James H. Hundley,	Joel W. Sallee,
Charles G. C. Canby,	William G. Jackson,	William T. Samuels.
Robert M. Carlisle,	John G. James,	Elijah G. Sebre,
A. D. Cosby,	Henry S. Johnson,	James C. Sprigg,
Hezekiah Cox,	Alfred M. Jones,	Green Sterett,
Edwin S. Craig,	John A. Keith,	Daniel B. Stivers,
Francis U. Dodds,	Benjamin H. Kerrick,	Napoleon B. Stone,
James Edelin,	John J. Landrum,	John J. Thomas,
Price Edrington,	Charles Lee,	Joshua H. Thomas,
David Elms,	Joseph H. Lewis,	Lawrence S. Trimble,
Christian Engleman,	Robert G. Lewis,	Francis Troutman,
Elisha S. Fitch,	Opie J. Lindsay,	Drury Tye,
Francis Ford,	Henry D. McHenry,	John S. Williams—62.
Thomas R. Givens,	George R. McKee,	

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus :

## Those who voted for Mr. Robertson, were

Granville C. Alfred,	Benjamin F. Hume,	Barnett C. Moran,
William C. Anderson,	James H. Hundley,	William F. Moore,
John S. Boyd,	William G. Jackson,	Isaac N. Shepperd,
Curtis F. Burnam,	John G. James,	Daniel B. Stivers,
Christian Engleman,	Robert G. Lewis,	Napoleon B. Stone,
Elisha S. Fitch,	Opie J. Lindsay,	Francis Troutman,
Thomas R. Harman,	George R. McKee,	Drury Tye—21.

## Those who voted for Mr. Morehead, were

Charles M. Briggs,	Edwin S. Craig,	Birch Musselman,
Joshua F. Bullitt,	Ellis Duncan,	William T. Samuels,
James L. Caldwell,	Benjamin H. Kerrick,	William C. Webster,
John Calvert,	Thomas F. Marshall,	James C. Wilmore,
Charles G. C. Canby,	Andrew Monroe,	Chas. G. Wintersmith—16.
Willis S. Chaplin,		

## Those who voted for Mr. Dixon, were

A. D. Cosby,	Henry S. Johnson,	Micajah Oglesby,
Francis Ford,	Alfred M. Jones,	Elijah G. Seabee,
Thomas R. Givens,	John A. Keith,	James C. Sprigg,
Jacob S. Golladay,	John J. Landrum,	Green Sterett,
David Griggs,	Joseph H. Lewis,	John J. Thomas,
Grant Green,	Henry D. McHenry,	Joshua H. Thomas,
John J. Haley,	William C. McNary,	John S. Williams—23.
John B. Holladay,	Strother D. Mitchell,	

## Those who voted for Mr. Guthrie, were

William Bailey,	Price Edrington,	William McMillan,
Cleaton Bane,	David Elms,	Robert O. Morgan,
Joseph H. Barlow,	John F. Gaar,	Samuel M. Moore,
James P. Bates,	Norvin Green,	Thomas J. Nash,
A. H. Bryan,	Samuel Hatfield,	John J. Park,
Isaac Burnett,	Charles J. Helm,	Joel W. Sallee,
Robert M. Carlisle,	Alvin Herndon,	Lawrence S. Trimble,
Hezekiah Cox,	Thomas Hagins,	Thornton Triplett,
Jonathan Davis,	Alvin M. Hume,	Claiborne J. Walton,
Francis U. Dodds,	Garland Hurt,	Alex. H. Willingham—32.
James Edelin,	Charles Lee,	

For Mr. Hezekiah Cox—Elijah S. Mitchusson.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Helm, from said committee, reported that the joint vote stood thus:

For Mr. Robertson,	- - - - -	24
For Mr. Morehead,	- - - - -	25
For Mr. Dixon,	- - - - -	34
For Mr. Guthrie,	- - - - -	46
For Mr. H. Cox,	- - - - -	1
For Mr. John S. Williams,	- - - - -	1

Mr. R. G. Lewis then withdrew the nomination of Mr. Geo. Robertson.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus :

Those who voted for Mr. Morehead, were

William C. Anderson,	Norvin Green,	William McMillan,
Charles M. Briggs,	Alvin Herndon,	Andrew Monroe,
Joshua F. Bullitt,	Alvin M. Hume,	Birch Musselman,
James L. Caldwell,	Benjamin F. Hume,	Thomas J. Nash,
John Calvert,	Garland Hurt,	William T. Samuels,
Charles G. C. Canby,	Charles Lee,	William C. Webster,
Willis S. Chaplin,	Opie J. Lindsay,	James C. Wilmore,
Edwin S. Craig,	Thomas F. Marshall,	Chas. G. Wintersmith—25.
Ellis Duncan,		

Those who voted for Mr. Dixon, were

Mr. Speaker (Robertson),	John B. Holladay,	Barnett C. Moran,
Granville C. Alfred,	James H. Hundley,	William F. Moore,
Curtis F. Burnam,	William G. Jackson,	Micajah Oglesby,
A. D. Cosby,	John G. James,	John J. Park,
Price Edrington,	Henry S. Johnson,	Elijah G. Sebree,
Christian Engleman,	Alfred M. Jones,	Isaac N. Shepperd,
Elisha S. Fitch,	John A. Keith,	James C. Sprigg,
Francis Ford,	Benjamin H. Kerrick,	Green Sterett,
Thomas R. Givens,	John J. Landrum,	Daniel B. Stivers,
Jacob S. Golladay,	Robert G. Lewis,	Napoleon B. Stone,
David Griggs,	Joseph H. Lewis,	John J. Thomas,
Grant Green,	Henry D. McHenry,	Joshua H. Thomas,
John J. Haley,	George R. McKee,	Francis Troutman,
Thomas R. Harman,	William C. McNary,	Drury Tye,
Samuel Hatfield,	Strother D. Mitchell,	John S. Williams—45.

Those who voted for Mr. Guthrie, were

William Bailey,	Jonathan Davis,	Elijah S. Mitchusson,
Cleaton Bane,	Francis U. Dodds,	Robert O. Morgan,
Joseph H. Barlow,	James Edelin,	Samuel M. Moore,
James P. Bates,	David Elms,	Joel W. Sallee,
John S. Boyd,	John F. Gaar,	Lawrence S. Trimble,
A. H. Bryan,	William C. Grier,	Thornton Triplett,
Isaac Burnett,	Charles J. Helm,	Claiborne J. Walton,
Robert M. Carlisle,	John B. Laffoon,	Alex. H. Willingham—25.
Hezekiah Cox,		

For Mr. William Bradley—Thomas Hagins.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Helm, from said committe, reported that the joint vote stood thus :

For Mr. Morehead,	- - - - -	33
For Mr. Dixon,	- - - - -	59
For Mr. Guthrie,	- - - - -	41
For Mr. Wm. Bradley,	- - - - -	1





For Mr. J. L. Helm,	-	-	-	-	-	-	-	1
For Mr. C. S. Morehead,	-	-	-	-	-	-	-	1

Mr. Dixon having received a majority of all the votes given, was declared duly elected Senator in Congress in the place of Henry Clay, resigned.

And then the House adjourned.

### WEDNESDAY, DECEMBER 31, 1851.

On motion of Mr. Marshall,

*Ordered*, That leave of absence be granted to Mr. Jackson, indefinitely.

The Speaker laid before the House the annual report of the President of the Board of Internal Improvement.

[*For Report—see Legislative Documents.*]

*Ordered*, That the Public Printer forthwith print 1,000 copies of said report for the use of the members of this House.

The Speaker laid before the House the annual report of the Superintendent of the Lunatic Asylum.

[*For Report—see Legislative Documents.*]

*Ordered*, That the Public Printer forthwith print 1,000 copies of said report—five hundred for the use of the members of the General Assembly, and five hundred for the use of the Asylum.

A message was received from the Senate, announcing their disagreement to bills from this House, of the following titles, viz :

An act further to provide for the collection of tolls on Muldrow's Hill.

An act to amend an act, entitled, an act to amend an act, entitled, an act to incorporate the town of Shelbyville, approved March 24, 1851.

An act repealing the law requiring the Wayne County Court to erect and keep a stray pound.

An act for the benefit of the keepers of livery stables.

That they had passed bills from this House, of the following titles, to-wit :

An act to incorporate the Lexington and Cumberland Railroad Company.

An act regulating the time of holding Magistrates' courts in Barren county.

An act for the benefit of George F. Hickman.

An act to establish a tobacco inspection at Paducah.

An act for the benefit of William Richards, of Bath county.

An act to establish an April and July term of the Breckinridge County Court.

An act for the benefit of James E. Gardner, of Butler county.

An act to incorporate the town of Kiddville, in Clarke county.

An act to incorporate the Frankfort Woolen Company.

An act to extend the town limits of Shepherdsville.

An act to change the place of voting from the house of Sarah Bates to the mouth of Mill Stone, in Letcher county.

An act to incorporate the Presbyterial Academy of Greenville.

An act to establish the Parochial School of Elkton, Todd county.

An act to authorize the County Court of Allen to re-district election precincts, and establish an additional Justices' district and election precinct in said county.

An act to provide for the completion of the Second Lunatic Asylum.

An act concerning the Marshal of the town of Lancaster, and to establish the office of Marshal in the town of Richmond.

An act to authorize the people of Fayette to provide for the erection of a new court house.

An act to amend the charter of the city of Lexington.

An act to incorporate the town of New Haven.

An act for the benefit of the heirs of James Gay, deceased.

An act to incorporate the Cynthiana Female Academy.

An act to amend the city charter of Covington.

An act to charter Union Lodge, No. 10, I. O. O. F., Nicholasville.

An act concerning the public records of the Bracken County Court.

An act to charter Brookville Lodge, No. 154, of Free and Accepted Masons.

An act to change the time of holding the Garrard county and quarterly courts.

An act to amend the charter of the Newport Safety Fund Bank of Kentucky.

An act to provide for the erection of a suitable monument over the grave of Col. Thomas Dollerhide.

An act for the benefit of common schools in Estill county.



An act to change the time of holding the quarterly terms of the County Judge of Daviess county.

An act to change certain districts and precincts in Lawrence county.

An act for the benefit of the Sheriffs of Todd, Pulaski, and Green counties.

An act for the benefit of the Sheriff of Bath county.

An act to authorize the County Court of Harrison county to borrow money.

With amendments to the two last named bills.

That they had passed bills and a resolution, of the following titles, to-wit :

An act to incorporate the Frankfort and Midway Turnpike Company.

An act to regulate the roads of Knox county.

An act to amend an act, entitled, an act to incorporate the Ghent and Eagle-Creek Turnpike Road Company.

An act to allow the county of Bath to take stock in certain turnpike roads.

An act to change the time of holding the quarterly courts for the county of Bath.

An act to establish a part of the line between the counties of Lawrence, Pike, and Floyd.

An act to repeal all laws authorizing the County Court of Perry county to remove the mill dam of James Johnson across the Middle Fork of the Kentucky river.

An act to change the line of Clay and Harlan counties.

An act to authorize the sale of a parsonage in Green county.

An act better to define the boundary of the city of Louisville.

A resolution authorizing the Clerks of the Senate and House of Representatives to employ assistants.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Internal Improvement—A bill to amend an act, entitled, an act prescribing the means and mode of opening and working roads in Boone county.

By same—A bill for the benefit of John Riley.

By same—A bill to charter the Hamilton Turnpike Road Company.

By the committee on County Courts—A bill authorizing the Judge of the Hart County Court to hold a July term of said court.

By the committee on Banks—A bill supplemental to the act incorporating the Commercial Bank of Paducah.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Jones, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, to-wit:

An act to establish a school district in Hancock county.

An act changing the lines of Magistrates' and Constables' districts in Harrison county.

An act for the benefit of Hiram Senior, of Union county, and Benjamin R. Briggs, of Ohio county.

An act to change the line of a voting district in Logan county, and a Justices' district in Boone county.

An act relating to the poll tax in Campbell county.

An act changing part of the line between Oldham and Shelby counties.

An act better to define the boundary lines of Todd county.

An act for the benefit of Robert Butler, of Simpson county.

An act authorizing the trustees of Russellville to tax nine and ten pin alleys.

An act to change the county line between the counties of Grant and Kenton.

An act to change the voting place in district No. 4, in Henderson county.

An act to change the line between districts Nos. 1 and 2, in Lincoln county.

An act for the benefit of the Sheriffs of Taylor and Cumberland counties.

An act for the benefit of Samuel T. Ray.

An act for the benefit of Elizabeth Jones, as administratrix of George Jones, deceased.

An act for the benefit of the Sheriff of Graves county.

An act to amend the charter of the Paris and Winchester Turnpike Road Company.

An act to amend an act, entitled, an act further to provide for the collection of tolls on Kentucky, Green, and Big Barren rivers.

An act to change the line of the Burlington and Taylorsport election precincts in Boone county.

An act to change Magistrates' districts No. 1, in Crittenden county, and No. 1, in Madison county.

- An act incorporating the Newport and Covington Bridge Company.
- An act to amend an act establishing Morgantown Seminary, in Butler county.
- An act to amend an act, entitled, an act to fix the time of holding the circuit courts of this commonwealth.
- An act concerning the Marshal of the town of Lancaster, and to establish the office of Marshal in the town of Richmond.
- And bills, which originated in the Senate, of the following titles, to-wit:
  - An act to amend the charter of the Shelby Railroad Company.
  - An act for the benefit of the Sheriff of Union county.
  - An act for the benefit of Florence Academy, in Boone county.
  - An act authorizing the County Court of Russell to levy an additional tax in said county.
  - An act to incorporate Liberty Lodge, No. 126, of Free and Accepted Masons.
  - An act to amend an act, entitled, an act to incorporate the Bank Lick Turnpike Road Company.
  - An act declaring the Elk Fork of Licking and Greasy creeks navigable streams.
  - An act in relation to the Springfield, Maxville, and Harrodsburg Turnpike Road Company.
  - An act to change the time of holding the Johnson quarterly and county courts.
  - An act to punish persons for endangering life by placing obstructions on railroads.
  - An act to amend an act, entitled, an act to incorporate and establish the town of Fairview, in Todd and Christian counties.
  - An act to amend an act, entitled, an act to enlarge the powers of the trustees of the town of Brandenburg, approved February 18, 1851.
  - An act concerning the Court of Claims in Shelby county.
  - An act to establish the line between the counties of Knox and Clay.
  - An act to change the time of holding the Perry county and quarterly courts.
  - An act changing the time of holding the quarterly courts of the County Judge of Henry.
  - An act to amend the laws relating to Georgetown.
  - An act to authorize the Clerk of the County Court of Owen to index record books A and B in his office.
  - An act to regulate the times for holding the courts of Justices of the Peace.



An act for the benefit of John Betts, jailer of Fulton county.

An act to incorporate the Maysville Literary Institute.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Jones inform the Senate thereof.

A bill from the Senate, entitled, an act to incorporate the Commercial Bank of Paducah, was read the third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burnett and Dodds, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John J. Haley,	Barnett C. Moran,
Granville C. Alfred,	Thomas R. Harman,	Samuel M. Moore,
William C. Anderson,	Charles J. Helm,	William F. Moore,
William Bailey,	Alvin Herndon,	Birch Musselman,
Cleaton Bane,	Thomas Hagins,	Thomas J. Nash,
Charles M. Briggs,	John B. Holladay,	John J. Park,
A. H. Bryan,	Garland Hurt,	William T. Samuels,
Joshua F. Bullitt,	John G. James,	Isaac N. Shepperd,
James L. Caldwell,	Henry S. Johnson,	James C. Sprigg,
John Calvert,	Alfred M. Jones,	Green Sterett,
Charles G. C. Canby,	John A. Keith,	Daniel B. Stivers,
Robert M. Carlisle,	Benjamin H. Kerrick,	John J. Thomas,
Hezekiah Cox,	John J. Landrum,	Joshua H. Thomas,
Edwin S. Craig,	Joseph H. Lewis,	Lawrence S. Trimble,
Jonathan Davis,	Thomas F. Marshall,	Thornton Triplett,
James Edelin,	Henry D. McHenry,	Francis Troutman,
Price Edrington,	George R. McKee,	Claiborne J. Walton,
Christian Engleman,	William C. McNary,	William C. Webster,
Elisha S. Fitch,	Strother D. Mitchell,	John S. Williams,
Thomas R. Givens,	Elijah S. Mitchusson,	James C. Wilmore,
David Griggs,	Andrew Monroe,	Chas. G. Wintersmith—64.
Grant Green,		

Those who voted in the negative, were

Joseph H. Barlow,	John F. Gaar,	Robert G. Lewis,
James P. Bates,	Jacob S. Golladay,	William McMillan,
John S. Boyd,	Samuel Hatfield,	Robert O. Morgan,
Curtis F. Burnam,	Alvin M. Hume,	Micajah Oglesby,
Isaac Burnett,	Benjamin F. Hume,	Joel W. Sallee,
Francis U. Dodds,	John B. Laffoon,	Drury Tye,
Ellis Duncan,	Charles Lee,	Alex. H. Willingham—22.
David Elms,		

*Resolved*, That the title thereof be as aforesaid.

Mr. Williams moved the following resolution, viz:

*Resolved*, That pending the consideration of the report of the committee of the Revised Statutes, it shall be in order at any time to move to lay upon the table any pending amendments without having

the effect to carry the bill with it; and that it shall be in order to move the previous question at any time upon a pending motion, and it shall have the effect of bringing the House to a direct vote upon the pending question, and then its effects shall cease.

Which was adopted.

Mr. Wintersmith, from the committee on Revised Statutes, to whom was referred a bill to adopt the Revised Statutes, reported the same with amendments.

The 1st, 2d, and 3d amendments proposed by said committee to said bill were then concurred in.

The 4th amendment proposed by the committee to said bill, was to strike out the 6th section of the 21st article, which reads as follows, to-wit:

Three years after this chapter takes effect, all rights and privileges which may have been granted by the legislature of this commonwealth to raise money by lottery for any purpose, shall cease and determine.

And the question being taken on the adoption of the same, it was decided in the negative; and so the said amendment was rejected.

The yeas and nays being required thereon by Messrs. S. M. Moore and G. Green, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John F. Gaar,	Henry D. McHenry,
William Bailey,	Thomas R. Givens,	Strother D. Mitchell,
Cleaton Bane,	David Griggs,	Andrew Monroe,
Charles M. Briggs,	Grant Green,	Barnett C. Moran,
A. H. Bryan,	Norvin Green,	William F. Moore,
Joshua F. Bullitt,	Alvin M. Hume,	Birch Musselman,
Isaac Burnett,	Garland Hurt,	William T. Samuels,
James L. Caldwell,	John G. James,	James C. Sprigg,
John Calvert,	Henry S. Johnson,	John J. Thomas,
A. D. Cosby,	Alfred M. Jones,	Lawrence S. Trimble,
Edwin S. Craig,	John B. Laffoon,	Francis Troutman,
Ellis Duncan,	John J. Landrum,	John S. Williams,
Price Edrington,	Charles Lee,	Chas. G. Wintersmith—41.
Christian Engleman,	Joseph H. Lewis,	

Those who voted in the negative, were

Granville C. Alfred,	John J. Haley,	Robert O. Morgan,
William C. Anderson,	Thomas R. Harman,	Samuel M. Moore,
Joseph H. Barlow,	Samuel Hatfield,	Thomas J. Nash,
James P. Bates,	Charles J. Helm,	Micajah Oglesby,
John S. Boyd,	Alvin Herndon,	Joel W. Sallee,
Curtis F. Burnam,	Thomas Hagins,	Elijah G. Seabee,
Charles G. C. Canby,	John B. Holladay,	Isaac N. Shepperd,
Robert M. Carlisle,	Benjamin F. Hume,	Green Sterett,
Hezekiah Cox,	James H. Hundley,	Daniel B. Stivers,
Jonathan Davis,	John A. Keith,	Joshua H. Thomas,
Francis U. Dadds,	Robert G. Lewis,	Thornton Triplett,
James Edelin,	Opie J. Lindsay,	Drury Tye,

David Elms,  
Elisha S. Fitch,  
Jacob S. Golladay,  
William C. Grier,

George R. McKee,  
William McMillan,  
William C. McNary,  
Elijah S. Mitchusson,

Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
James C. Wilmore—48.

The 5th amendment to said bill proposed by the committee was then concurred in.

Mr. Burnam moved to amend said bill, by striking out the first section, and inserting in lieu thereof the following, viz :

That these chapters of the revised statutes of this commonwealth, and those approved March 24, 1851, shall become the law of the land, and take effect on the first day of July, 1854.

Mr. Engleman moved to lay said amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sprigg and Burnam, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,  
William C. Anderson,  
William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
Charles M. Briggs,  
A. H. Bryan,  
Joshua F. Bullitt,  
Isaac Burnett,  
John Calvert,  
Hezekiah Cox,  
Edwin S. Craig,  
Jonathan Davis,  
Francis U. Dodds,  
Ellis Duncan,  
James Edelin,  
David Elms,  
Christian Engleman,

John F. Gaar,  
Thomas R. Givens,  
Jacob S. Golladay,  
William C. Grier,  
Grant Green,  
Norvin Green,  
John J. Haley,  
Thomas R. Harman,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
John B. Holladay,  
Garland Hurt,  
John G. James,  
Alfred M. Jones,  
Benjamin H. Kerrick,  
John B. Laffoon,  
Charles Lee,

Joseph H. Lewis,  
William McMillan,  
Elijah S. Mitchusson,  
Barnett C. Moran,  
Robert O. Morgan,  
Birch Musselman,  
Thomas J. Nash,  
John J. Park,  
William T. Samuels,  
Isaac N. Shepperd,  
Green Sterett,  
Napoleon B. Stone,  
John J. Thomas,  
Thornton Triplett,  
Francis Troutman,  
Claiborne J. Walton,  
John S. Williams,  
Alex. H. Willingham,  
Chas. G. Wintersmith—58.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)  
Curtis F. Burnam,  
Charles G. C. Canby,  
Robert M. Carlisle,  
A. D. Cosby,  
Elisha S. Fitch,  
Francis Ford,  
David Griggs,  
James H. Hundley,

Henry S. Johnson,  
John A. Keith,  
John J. Landrum,  
Robert G. Lewis,  
Opie J. Lindsay,  
William C. McNary,  
Strother D. Mitchell,  
Andrew Monroe,

Samuel M. Moore,  
William F. Moore,  
Joel W. Sallee,  
James C. Sprigg,  
Joshua H. Thomas,  
Drury Tye,  
William C. Webster,  
James C. Wilmore—25.

Mr. N. Green moved to amend the 6th section of the 21st article, by striking out the word "three," and inserting the word "five."



And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. S. M. Moore and Elms, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,	Jacob S. Golladay,	Henry D. McHenry,
Cleaton Bane,	David Griggs,	Strother D. Mitchell,
James P. Bates,	Grant Green,	Andrew Monroe,
Charles M. Briggs,	Norvin Green,	John J. Park,
A. H. Bryan,	Thomas R. Harman,	William T. Samuels,
Joshua F. Bullitt,	Garland Hurt,	James C. Sprigg,
Isaac Burnett,	John G. James,	Napoleon B. Stone,
John Calvert,	Henry S. Johnson,	John J. Thomas,
A. D. Cosby,	Alfred M. Jones,	Joshua H. Thomas,
Edwin S. Craig,	John A. Keith,	Lawrence S. Trimble,
Ellis Duncan,	John B. Laffoon,	Francis Troutman,
Christian Engleman,	John J. Landrum,	William C. Webster,
Francis Ford,	Joseph H. Lewis,	John S. Williams,
Thomas R. Givens,	Opie J. Lindsay,	Chas. G. Wintersmith—42.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	William C. Grier,	Barnett C. Moran,
Granville C. Alfred,	John J. Haley,	Robert O. Morgan,
William C. Anderson,	Samuel Hatfield,	Samuel M. Moore,
Joseph H. Barlow,	Alvin Herndon,	William F. Moore,
Curtis F. Burnam,	Thomas Hagins,	Thomas J. Nash,
Charles G. C. Canby,	John B. Holladay,	Joel W. Sallee,
Robert M. Carlisle,	Benjamin H. Kerrick,	Isaac N. Shepperd,
Hezekiah Cox,	Charles Lee,	Green Sterett,
Jonathan Davis,	Robert G. Lewis,	Thornton Triplett,
Francis U. Dodds,	George R. McKee,	Drury Tye,
James Edelin,	William McMillan,	Claiborne J. Walton,
David Elms,	William C. McNary,	Alex. H. Willingham,
John F. Gaar,	Elijah S. Mitchusson,	James C. Wilmore—39.

Mr. Bates moved to amend said bill, by striking out in chapter 22d, article 25th, section 1st, the word "fifty," and insert the words "one hundred."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bates and Nash, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,	William C. Grier,	Elijah G. Sebree,
Joseph H. Barlow,	Grant Green,	Isaac N. Shepperd,
James P. Bates,	Norvin Green,	James C. Sprigg,
Curtis F. Burnam,	Thomas Hagins,	Green Sterett,
Isaac Burnett,	John B. Laffoon,	John J. Thomas,
A. D. Cosby,	Charles Lee,	Joshua H. Thomas,
Hezekiah Cox,	Strother D. Mitchell,	Lawrence S. Trimble,

Francis U. Dodds,	Elijah S. Mitchusson,	Drury Tye,
James Edelin,	Barnett C. Moran,	William C. Webster,
David Elms,	Thomas J. Nash,	Alex. H. Willingham,
Francis Ford,	Joel W. Sallee,	James C. Wilmore—33.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Thomas R. Givens,	Opie J. Lindsay,
Granville C. Alfred,	David Griggs,	Henry D. McHenry,
William C. Anderson,	John J. Haley,	George R. McKee,
Cleaton Bane,	Samuel Hatfield,	William McMillan,
John S. Boyd,	Charles J. Helm,	William C. McNary,
Charles M. Briggs,	Alvin Herndon,	Robert O. Morgan,
Joshua F. Bullitt,	James H. Hundley,	Samuel M. Moore,
John Calvert,	Garland Hurt,	Birch Musselman,
Charles G. C. Canby,	John G. James,	William T. Samuels,
Robert M. Carlisle,	Henry S. Johnson,	Napoleon B. Stone,
Jonathan Davis,	Alfred M. Jones,	Francis Troutman,
Ellis Duncan,	John A. Keith,	Claiborne J. Walton,
Christian Engleman,	John J. Landrum,	John S. Williams,
Elisha S. Fitch,	Joseph H. Lewis,	Chas. G. Wintersmith—44.
John F. Gaar,	Robert G. Lewis,	

Mr. Anderson moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. S. M. Moore and Fitch, were as follows, viz :

Those who voted in the affirmative, were

William C. Anderson,	Christian Engleman,	Birch Musselman,
William Bailey,	Thomas R. Givens,	John J. Park,
Cleaton Bane,	Samuel Hatfield,	William T. Samuels,
Joseph H. Barlow,	Charles J. Helm,	Isaac N. Shepperd,
James P. Bates,	Alvin Herndon,	Green Sterett,
John S. Boyd,	Thomas Hagins,	Napoleon B. Stone,
A. H. Bryan,	John B. Holladay,	John J. Thomas,
Joshua F. Bullitt,	John B. Laffoon,	Thornton Triplett,
Isaac Burnett,	Charles Lee,	Francis Troutman,
John Calvert,	Henry D. McHenry,	John S. Williams,
Edwin S. Craig,	William McMillan,	Alex. H. Willingham,
Jonathan Davis,	Elijah S. Mitchusson,	James C. Wilmore—38.
David Elms,	Robert O. Morgan,	

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Norvin Green,	Barnett C. Moran,
Granville C. Alfred,	John J. Haley,	Samuel M. Moore,
Charles M. Briggs,	James H. Hundley,	William F. Moore,
Curtis F. Burnam,	Garland Hurt,	Thomas J. Nash,
Charles G. C. Canby,	John G. James,	Joel W. Sallee,
Robert M. Carlisle,	Henry S. Johnson,	Elijah G. Sebre,
A. D. Cosby,	John A. Keith,	James C. Sprigg,
Hezekiah Cox,	John J. Landrum,	Joshua H. Thomas,
Francis U. Dodds,	Robert G. Lewis,	Lawrence S. Trimble,

Ellis Duncan,  
Elisha S. Fitch,  
David Griggs,  
Grant Green,

Opie J. Lindsay,  
George R. McKee,  
William C. McNary,  
Strother D. Mitchell,

Drury Tye,  
Claiborne J. Walton,  
William C. Webster,  
Chas. G. Wintersmith—39.

A message was received from the Senate, announcing that they had passed bills and resolutions from this House, of the following titles, viz:

An act for the benefit of the Louisville and Covington Railroad Company.

An act concerning nine and ten pin alleys, &c.

With amendments to each.

A resolution extending the session of the General Assembly.

A resolution for a final adjournment of the General Assembly.

With an amendment to the last named resolution.

And that they had passed a bill, entitled,

An act authorizing the Governor to appoint commissioners to examine the Banking Institutions of this state, and for other purposes.

And then the House adjourned.

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THURSDAY, JANUARY 1, 1852.

1. Mr. McHenry presented the petition of Thomas Massie, praying an act incorporating Adams' Fork Lodge, No. 179.

2. Mr. Kerrick presented the remonstrance of sundry citizens of Jefferson county, against draining Oldham's pond in said county.

3. Mr. Cox presented the petition of the trustees of the Gallatin County Academy, praying that power be granted them to convey a lot.

4. Mr. J. J. Thomas presented the remonstrance of sundry citizens of Christian county, against taxing foreign insurance offices.

5. Mr. Anderson presented the petition of the officers of Morrison Lodge, No. 103, praying an act of incorporation.

Which were received, the reading dispensed with, and referred—the 1st, 4th, and 5th, to the committee on the Judiciary; the 2d to the committee on Internal Improvement; and the 3d to Messrs. Cox, N. Green, and Bates.



Mr. Landrum moved the following resolution, viz :

*Resolved*, That during the consideration of the Revised Statutes that no member of this House shall speak more than twice on any one subject, nor more than ten minutes at any one time.

Which was adopted.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled, an act for the benefit of the Clerk of the Daviess County and Circuit Courts.

That they had passed bills from this House, of the following titles, to-wit :

An act incorporating the Peoples' Hydropathic, Literary, and American Reform College of Kentucky.

An act to fix the time of holding the circuit courts in the 8th judicial district.

An act for the benefit of the Sheriff of Kenton county.

An act for the benefit of the Sheriff of Oldham county.

An act to authorize the County Court of McCracken to levy an *ad valorem* tax to build a court house and jail.

An act to amend the charter of the Kentucky Female Orphan School.

An act supplemental to the act incorporating the Commercial Bank of Paducah.

An act for the benefit of James McNeal, former surveyor of Laurel county.

An act to incorporate the Nashville and Cincinnati Railroad Company.

An act for the benefit of the Kentucky Institution for the Education of the Blind.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz :

An act to require railroad companies, and others, to fence their lands.

An act to establish a State Board of Agriculture, and for other purposes.

An act to incorporate the Pikeville Turnpike Road Company.

An act to amend an act incorporating certain turnpike roads in Garrard county.

An act to incorporate the Hall of Simpson Benevolent Lodge, No. 177, Ancient Free and Accepted Masons.

An act for the benefit of the Clerk of the Hardin Circuit Court.

Mr. Troutman, from the committee on Banks, made a report.

[For Report—see *Legislative Documents*.]

*Ordered*, That the Public Printer forthwith print 1,000 copies of said report for the use of the members of this House.

A message was received from the Senate by Mr. Stone, asking leave to withdraw their report announcing their disagreement to a bill from this House, entitled, an act repealing the law requiring the Wayne County Court to erect and keep a stray pound, which was granted, and the same was withdrawn.

The House again resumed the consideration of the bill from the Senate, entitled, an act to adopt the Revised Statutes.

Mr. Wilmore moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Anderson and Boyd, were as follows, viz:

Those who voted in the affirmative, were

Granville C. Alfred,	Thomas R. Givens,	William McMillan,
William C. Anderson,	Jacob S. Golladay,	Andrew Monroe,
Joseph H. Barlow,	Charles J. Helm,	John J. Park,
John S. Boyd,	John B. Holladay,	William T. Samuels,
Joshua F. Bullitt,	James H. Hundley,	Green Sterett,
Isaac Burnett,	Garland Hurt,	Daniel B. Stivers,
John Calvert,	Alfred M. Jones,	John J. Thomas,
Jonathan Davis,	John B. Laffoon,	Thornton Triplett,
James Edelin,	Charles Lee,	Francis Troutman,
David Elms,	Thomas F. Marshall,	John S. Williams,
Christian Engleman,	Henry D. McHenry,	James C. Wilmore—34.
Francis Ford,		

Those who voted in the negative, were

Mr. Speaker (Robertson,)	William C. Grier,	Barnett C. Moran,
William Bailey,	David Griggs,	Samuel M. Moore,
Cleaton Bane,	Grant Green,	William F. Moore,
James P. Bates,	John J. Haley,	Thomas J. Nash,
Charles M. Briggs,	Thomas R. Harman,	Micajah Oglesby,
A. H. Bryan,	Alvin Herndon,	Joel W. Sallee,
Curtis F. Burnam,	Thomas Hagins,	Elijah G. Seabee,
Charles G. C. Canby,	John G. James,	Isaac N. Shepperd,
Robert M. Carlisle,	Benjamin H. Kerrick,	James C. Sprigg,
A. D. Cosby,	John J. Landrum,	Joshua H. Thomas,
Hezekiah Cox,	Joseph H. Lewis,	Lawrence S. Trimble,
Edwin S. Craig,	Robert G. Lewis,	Drury Tye,
Francis U. Dodds,	Opie J. Lindsay,	Claiborne J. Walton,
Ellis Duncan,	William C. McNary,	William C. Webster,
Elisha S. Fitch,	Strother D. Mitchell,	Alex. H. Willingham,
John F. Gaar,	Elijah S. Mitchusson,	Chas. G. Wintersmith—48.

Mr. Boyd moved a reconsideration of the vote rejecting the amendment proposed by Mr. Bates on yesterday.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burnam and Elms, were as follows, viz:

## Those who voted in the affirmative, were

Granville C. Alfred,	Samuel Hatfield,	Joseph A. Nevitt,
Joseph H. Barlow,	Alvin Herndon,	Micajah Oglesby,
John S. Boyd,	Thomas Hagins,	Joel W. Sallee,
A. H. Bryan,	John B. Holladay,	Elijah G. Sebree,
Curtis F. Burnam,	John G. James,	Isaac N. Shepperd,
Isaac Burnett,	Benjamin H. Kerrick,	James C. Sprigg,
A. D. Cosby,	John B. Laffoon,	Green Sterett,
Hezekiah Cox,	Charles Lee,	Daniel B. Stivers,
Edwin S. Craig,	Robert G. Lewis,	John J. Thomas,
Francis U. Dodds,	George R. McKee,	Joshua H. Thomas,
David Elms,	Strother D. Mitchell,	Lawrence S. Trimble,
Elisha S. Fitch,	Elijah S. Mitchusson,	Thornton Triplett,
Thomas R. Givens,	Barnett C. Moran,	Drury Tye,
Jacob S. Golladay,	William F. Moore,	William C. Webster,
William C. Grier,	Birch Musselman,	Alex. H. Willingham,
David Griggs,	Thomas J. Nash,	James C. Wilmore—49.
Grant Green,		

## Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Charles J. Helm,	William McMillan,
William C. Anderson,	James H. Hundley,	William C. McNary,
Joshua F. Bullitt,	Garland Hurt,	Andrew Monroe,
John Calvert,	Henry S. Johnson,	Samuel M. Moore,
Charles G. C. Canby,	Alfred M. Jones,	Napoleon B. Stone,
Robert M. Carlisle,	John J. Landrum,	Francis Troutman,
Jonathan Davis,	Joseph H. Lewis,	Claiborne J. Walton,
Ellis Duncan,	Opie J. Lindsay,	John S. Williams,
Christian Engleman,	Thomas F. Marshall	Chas. G. Wintersmith—29.
John J. Haley,	Henry D. McHenry,	

The said amendment proposed by Mr. Bates was then adopted.

The 3d section of the 17th article of said bill reads as follows, viz:

It shall have concurrent jurisdiction with the circuit court in all civil cases where the amount in controversy does not amount to *one hundred* dollars, exclusive of interest and costs, and where the right to or boundary of real estate is not drawn in controversy.

Mr. Mitchusson moved to amend said article and section, by striking out the words "one hundred," and insert in lieu thereof the words "three hundred."

Mr. Golladay moved to amend said amendment, by striking out the words "three hundred," and inserting in lieu thereof the words "two hundred."

Mr. McHenry moved to lay said amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bates and Mitchusson, were as follows, viz:



## Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	David Griggs,	Samuel M. Moore,
William C. Anderson,	Grant Green,	Birch Musselman,
John S. Boyd,	Charles J. Helm,	Isaac N. Shepperd,
A. H. Bryan,	James H. Hundley,	James C. Sprigg,
Joshua F. Bullitt,	Henry S. Johnson,	Green Sterett,
Charles G. C. Canby,	Alfred M. Jones,	Joshua H. Thomas,
Robert M. Carlisle,	Benjamin H. Kerrick,	Drury Tye,
A. D. Cosby,	Opie J. Lindsay,	William C. Webster,
Edwin S. Craig,	Henry D. McHenry,	John S. Williams,
Ellis Duncan,	William McMillan,	James C. Wilmore,
Christian Engleman,	William C. McNary,	Chas. G. Wintersmith—34.
Francis Ford,		

## Those who voted in the negative, were

William Bailey,	William C. Grier,	Andrew Monroe,
Cleaton Bane,	John J. Haley,	Barnett C. Moran,
Joseph H. Barlow,	Samuel Hatfield,	Robert O. Morgan,
James P. Bates,	Alvin Herndon,	William F. Moore,
Curtis F. Burnam,	Thomas Hagins,	Thomas J. Nash,
Isaac Burnett,	Garland Hurt,	John J. Park,
Hezekiah Cox,	John G. James,	Joel W. Sallee,
Jonathan Davis,	John B. Laffoon,	Elijah G. Seabee,
Francis U. Dodds,	John J. Landrum,	Daniel B. Stivers,
James Edelin,	Charles Lee,	John J. Thomas,
David Elms,	Joseph H. Lewis,	Thornton Triplett,
Elisha S. Fitch,	Strother D. Mitchell,	Claiborne J. Walton,
John F. Gaar,	Elijah S. Mitchusson,	Alex. H. Willingham—40.
Jacob S. Golladay,		

The question was then taken on the amendment proposed by Mr. Golladay to the amendment of Mr. Mitchusson, and it was decided in the affirmative.

The question was then taken on the adoption of the amendment of Mr. Mitchusson, as amended, and it was decided in the affirmative.

Mr. Anderson moved the previous question on all of said bill after the 35th chapter—the previous chapters having been adopted.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Burnam and Bates, were as follows, viz :

## Those who voted in the affirmative, were

William C. Anderson,	Francis Ford,	Joseph H. Lewis,
William Bailey,	Jacob S. Golladay,	Henry D. McHenry,
Cleaton Bane,	Samuel Hatfield,	William McMillan,
Joseph H. Barlow,	Charles J. Helm,	Andrew Monroe,
John S. Boyd,	Alvin Herndon,	Robert O. Morgan,
Joshua F. Bullitt,	Thomas Hagins,	John J. Park,
Isaac Burnett,	John B. Holladay,	Green Sterett,
Edwin S. Craig,	James H. Hundley,	John J. Thomas,
Jonathan Davis,	Garland Hurt,	Thornton Triplett,

James Edelin,  
David Elms,  
Christian Engleman,

Alfred M. Jones,  
John B. Laffoon,  
Charles Lee,

John S. Williams,  
James C. Wilmore—35.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)  
James P. Bates,  
A. H. Bryan,  
Curtis F. Burnam,  
Charles G. C. Canby,  
Robert M. Carlisle,  
A. D. Cosby,  
Hezekiah Cox,  
Francis U. Dodds,  
Ellis Duncan,  
Elisha S. Fitch,  
John F. Gaar,  
William C. Grier,  
David Griggs,

Grant Green,  
John J. Haley,  
John G. James,  
Henry S. Johnson,  
John J. Landrum,  
Robert G. Lewis,  
Opie J. Lindsay,  
Thomas F. Marshall,  
William C. McNary,  
Strother D. Mitchell,  
Elijah S. Mitchusson,  
Barnett C. Moran,  
Samuel M. Moore,  
William F. Moore,

Birch Musselman,  
Thomas J. Nash,  
Micajah Oglesby,  
Joel W. Sallee,  
Elijah G. Seabee,  
Isaac N. Shepperd,  
James C. Sprigg,  
Joshua H. Thomas,  
Drury Tye,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
Chas. G. Wintersmith—41.

And then the House adjourned.

#### FRIDAY, JANUARY 2, 1852.

Mr. Jones, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, to-wit:

An act for the benefit of the Sheriff of Kenton county.

An act for the benefit of the Sheriff of Oldham county.

An act supplemental to the act incorporating the Commercial Bank of Paducah.

An act to amend the charter of the town of Danville.

An act establishing an additional Magistrates' and Constable's district in Hancock county.

An act for the benefit of common schools in Estill county.

An act to charter Brookville Lodge, No. 154, of Free and Accepted Masons.

An act to amend an act, entitled, an act for the benefit of the heirs of James and Matthew Wakefield.

An act regulating the time of holding Magistrates' courts in Barren county.

An act to amend the law in relation to working the public highways in the county of Mason.

An act to establish tobacco inspections in the city of Louisville.

An act to amend the charter of the Kentucky Trust Company Bank.

An act to incorporate the Coal Haven Coal Mining Company, of Daviess county.

An act to incorporate the Coal Haven Manufacturing Company.

An act to incorporate the Cynthiana Female Academy.

An act to extend the town limits of Shepherdsville.

An act for the benefit of the Sheriffs of Todd, Pulaski, and Green counties.

An act to change the place of voting from the house of Sarah Bates to the mouth of Mill Stone, in Letcher county.

An act to change the time of holding the quarterly terms of the County Judge of Daviess county.

An act for the benefit of James E. Gardner, of Butler county.

An act to establish an April and July term of the Breckinridge County Court.

An act to change the time of holding the Garrard county and quarterly courts.

An act to amend the charter of the city of Lexington.

An act for the benefit of George F. Hickman.

An act for the benefit of William Richards, of Bath county.

An act for the benefit of the town of Princeton.

An act to change certain districts and precincts in Lawrence county.

An act to amend the charter of the Newport Safety Fund Bank of Kentucky.

An act to provide for the completion of the Second Lunatic Asylum.

An act to amend an act, entitled, an act incorporating the Crab Orchard and Crews' Knob Turnpike Road Company.

An act to provide for the erection of a suitable monument over the grave of Col. Thomas Dollerhide.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Jones inform the Senate thereof.

Bills from the Senate, of the following titles, viz:

An act to amend the charter of the Covington and Lexington Railroad Company.

An act to amend an act, entitled, an act to incorporate the Georgetown and Louisville Branch Railroad.

Were read the first time, and ordered to be read a second time.



The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Davis presented the petition of Thos. O. Stone, Clerk in Spencer county, asking permission for the Circuit Judge to qualify a deputy clerk in vacation; which was received, the reading dispensed with, and referred to the committee on the Judiciary.

On motion of Mr. Davis, leave was given to withdraw the petition of sundry citizens of Nelson county, praying to be added to the county of Spencer.

On motion of Mr. Samuels, leave was given to withdraw the petition of sundry citizens of Hardin, Meade, and Breckinridge counties, praying the formation of a new county, which was granted, and the same was withdrawn.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act for the benefit of the Deaf and Dumb Asylum of Kentucky.

An act for the benefit of J. W. and J. F. First.

An act changing the time of holding the Estill and Franklin Circuit Courts.

That they had passed a bill from this House, of the following title, to-wit:

An act to incorporate the Kentucky River Navigation Company.

With an amendment.

The Speaker laid before the House a communication from the Auditor.

The House again resumed the consideration of a bill from the Senate, entitled, an act to adopt the Revised Statutes.

Mr. Alfred moved to amend said bill, by adding to the 6th article the following, viz:

That twenty-five dollars be allowed to the county court clerks for *ex officio* services, annually, by the court of claims, to be paid out of the county levy.

Mr. Cox moved to amend said amendment, by substituting therefor the following, viz:

The several clerks of the county courts may present to the court of claims of their respective counties a statement, under oath, of the services performed by them during the preceding year for the county; and the court shall make a reasonable allowance to said clerk, to be paid out of the county treasury.

Mr. Tye moved to lay said amendment and substitute on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilmore and Golladay, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John J. Haley,	William C. McNary,
Cleaton Bane,	Thomas R. Harman,	Elijah S. Mitchusson,
Joseph H. Barlow,	Samuel Hatfield,	Barnett C. Moran,
John S. Boyd,	Charles J. Helm,	Joseph A. Nevitt,
Curtis F. Burnam,	Alvin Herndon,	Micajah Oglesby,
Isaac Burnett,	Thomas Hagins,	Elijah G. Seabee,
John Calvert,	John G. James,	Isaac N. Shepperd,
Jonathan Davis,	Henry S. Johnson,	James C. Sprigg,
Francis U. Dodds,	Alfred M. Jones,	Green Sterett,
Ellis Duncan,	John B. Laffoon,	Daniel B. Stivers,
David Elms,	John J. Landrum,	William O. Thomson,
Christian Engleman,	Charles Lee,	Lawrence S. Trimble,
Francis Ford,	Robert G. Lewis,	Thornton Triplett,
John F. Gaar,	Opie J. Lindsay,	Drury Tye,
Thomas R. Givens,	Henry D. McHenry,	John S. Williams,
Jacob S. Golladay,	William McMillan,	Alex. H. Willingham—49.
David Griggs,		

Those who voted in the negative, were

Granville C. Alfred,	Grant Green,	Thomas J. Nash,
William C. Anderson,	John B. Holladay,	Joel W. Sallee,
William Bailey,	James H. Hundley,	William T. Samuels.
James P. Bates,	Garland Hurt,	Napoleon B. Stone,
Charles M. Briggs,	George R. McKee,	Joshua H. Thomas,
Joshua F. Bullitt,	Strother D. Mitchell,	Francis Troutman,
Charles G. C. Canby,	Andrew Monroe,	Claiborne J. Walton,
Robert M. Carlisle,	Robert O. Morgan,	William C. Webster,
Hezekiah Cox,	Samuel M. Moore,	James C. Wilmore,
James Edelin,	William F. Moore,	Francis H. Winfrey,
William C. Grier,	Birch Musselman,	Chas. G. Wintersmith—33.

Mr. Sprigg moved to amend said bill, by adding to article 2, chapter 14, after the words "on a license to keep a tavern, ten dollars," the following words :

"And all laws granting to the trustees of any town the exclusive power to grant tavern licenses within the limits of a town, and to appropriate the moneys received therefrom to the use of a town, shall be and is hereby repealed."

Mr. Monroe moved to lay said amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sprigg and Webster, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker (Robertson,)	John J. Haley,	Strother D. Mitchell,
William C. Anderson,	Charles J. Helm,	Elijah S. Mitchusson,
Cleaton Bane,	Alvin Herndon,	Andrew Monroe,

Joseph H. Barlow,	Thomas Hagins,	Samuel M. Moore,
Joshua F. Bullitt,	Garland Hurt,	Birch Musselman,
Edwin S. Craig,	John G. James,	Micajah Oglesby,
Jonathan Davis,	Henry S. Johnson,	Joel W. Sallee,
David Elms,	Alfred M. Jones,	Isaac N. Shepperd,
Elisha S. Fitch,	Joseph H. Lewis,	Green Sterett,
Francis Ford,	Thomas F. Marshall,	Thornton Triplett,
John F. Gaar,	Henry D. McHenry,	Francis Troutman,
Thomas R. Givens,	William McMillan,	Claiborne J. Walton,
Jacob S. Golladay,	William C. McNary,	James C. Wilmore—40.
Grant Green,		

Those who voted in the negative, were

Granville C. Alfred,	Francis U. Dodds,	Thomas J. Nash,
William Bailey,	Christian Engleman,	Elijah G. Seabee,
John S. Boyd,	David Griggs,	James C. Sprigg,
Charles M. Briggs,	John B. Holladay,	Napoleon B. Stone,
Curtis F. Burnam,	John J. Landrum,	William O. Thomson,
Isaac Burnett,	Charles Lee,	William C. Webster,
John Calvert,	Robert G. Lewis,	John S. Williams,
Charles G. C. Canby,	Barnett C. Moran,	Alex. H. Willingham,
Robert M. Carlisle,	Robert O. Morgan,	Francis H. Winfrey—29.
Hezekiah Cox,	William F. Moore,	

The Speaker laid before the House a communication from the Auditor, which is as follows, viz :

AUDITOR'S OFFICE,  
FRANKFORT, January 2, 1852. }

GEORGE ROBERTSON, ESQ.,

*Speaker of the House of Representatives:*

I herewith submit a statement of the accounts of the Lunatic Asylum for the year 1851.

I am, very respectfully,

THO. S. PAGE, Auditor.

[ For Settlement—see Legislative Documents. ]

And then the House adjourned.

SATURDAY, JANUARY 3, 1852.

On motion of Mr. Davis,

Ordered, That leave of absence be granted to him until Tuesday next.

The amendment to the resolution from this House for a final adjournment of the general assembly, was taken up, twice read, and concurred in.



Mr. Winfrey, from the committee on Propositions and Grievances, to whom was referred a bill to remove the Seat of Justice of the county of Washington, reported the same with an amendment as a substitute for said bill, which was concurred in.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Anderson moved the following resolution, viz :

*Resolved*, That this House will, for the balance of this session, hold night sessions, commencing on this evening at 7 o'clock, for the consideration of private bills.

Which was adopted.

A resolution from the Senate authorizing the Clerks of the Senate and House of Representatives to employ assistants, was taken up, twice read, and concurred in.

A message was received from the Senate, announcing their disagreement to bills from this House, of the following titles, viz :

An act for the benefit of Travis Daniel.

An act for the benefit of George Webster, of the town of Winchester.

An act to amend an act, entitled, an act giving to officers and crews, and mechanics, and others, a lien on steamboats.

That they had passed bills and a resolution from this House, of the following titles, to-wit:

An act to allow an additional Magistrates' and Constable's district in Owsley county.

An act to authorize the town of Paducah to subscribe stock in certain railroads.

An act to authorize the County Court of McCracken to subscribe stock in certain railroads.

An act incorporating the Louisville locomotive works.

An act repealing the law requiring the Wayne County Court to erect and keep a stray pound.

An act to incorporate the Newport Fuel Company.

An act to incorporate the Lexington and Big Sandy Railroad Company.

An act to incorporate the town of Calhoon, in Daviess county.

An act for the benefit of the Sheriff of Grant county.

An act regulating the fees and duties of the sealers of weights and measures in Jefferson county.

An act to establish the offices of Police Judge and Town Marshal in the town of Milburn, in Ballard county.

An act for the benefit of the Sheriff of Caldwell county.

An act authorizing the Judge of the Hart County Court to hold a July term of said court.

With amendments to the two last named bills.

A resolution in relation to the inspection of pork, flour, and tobacco, in New Orleans.

That they had concurred in the amendment proposed by this House, to a bill from the Senate, entitled, an act to authorize the county of Henry to subscribe stock in the Louisville and Covington Railroad.

That they had passed bills of the following titles, viz:

An act for the benefit of Hester D. Collins.

An act giving further time to persons who have brought slaves into this state since the 24th February, 1849.

An act fixing the time of holding the circuit courts in the 12th judicial district.

An act to incorporate the Danville, Somerset, and Knoxville Railroad Company.

An act to incorporate the Mountsterling and Paris Railroad Company.

An act to regulate the execution of bonds of bank officers.

An act for the benefit of the Police Judges of the towns of Hickman and Owenton.

An act to amend the act incorporating the town of Mountsterling, and to provide for the appointment of a watchman for the said town and for the county of Montgomery.

An act to amend an act, entitled, an act to charter the town of Simpsonville, in Shelby county.

An act for the benefit of Green Gill and Isaac Johnson.

An act giving Julius Hocker, Sheriff of Owsley county, further time to return his delinquent list.

An act for the appropriation of money.

An act for the benefit of James M. Todd, Sheriff of Lewis county.

An act to incorporate the Baptist Church of Lancaster, Garrard county.

An act to authorize the trustees of the town of Uniontown to license coffee-houses.

An act for the benefit of Samuel W. Wood.

An act for the benefit of the Sheriff of Mason county.

An act for the benefit of the Louisville and Oldham Turnpike Road Company.

An act for the benefit of Wm. S. Parker, late Sheriff of Lewis county.

An act to authorize the Oakland plank road company to construct a branch road.

Mr. N. Green, from the committee appointed to visit the Deaf and Dumb Asylum at Danville, made the following report, viz :

The joint committee instructed by resolution of this General Assembly to visit and inquire into the condition and prosperity of the Deaf and Dumb Asylum at Danville, have performed that duty, and report :

Your committee proceeded, in person, to examine said Institution as to the comfort and accommodations it afforded the mutes, as also, to inquire into their general treatment, moral culture, practical knowledge, and literary improvement—in all of which your committee are pleased to say their most sanguine hopes were fully realized.

Your committee regard the institution for the education of the deaf and dumb as one of the most humane and useful of the great benevolent institutions of the commonwealth, while it is unquestionably the least expensive—having been conducted with great economy and prudence for a period of twenty-eight years, scarcely in that whole period asking a special appropriation of money, and steadily conferring the most practical benefits on that afflicted class of our citizens. That these indispensable advantages should be more generally extended to a larger proportion of that unfortunate class found to exist amongst us, is so palpably demanded by the wants of two hundred and eighty-four deaf mutes, out of three hundred and fifty-four reported in the state by the assessors of tax, that your committee, believing it the imperious duty of the legislature, do not hesitate to recommend an appropriation of money sufficient to enable the trustees to build a wing to the male department, in the one story of which two additional class rooms might be furnished, and in the other a more suitable chapel, or room of sufficient size to assemble all the inmates at the same time for moral and religious instruction.

Improvements in the buildings to this extent at least, is regarded indispensably necessary, for the reasons that they have now no room of sufficient size to assemble all the mutes and seat them so as to command a view of the black-board on which instructions must be given ; they have but *two* class rooms for the recitations and instruction of *four* classes, (which requires either that two teachers be engaged with a class each in the same room, or that one class must sit and wait till the other has finished its recitation, either of which alternatives is embarrassing, on account of the diversion of attention and confusions consequent upon this proximity ;) and for the no less important reason that not one fifth of all the mutes in the commonwealth either are, or ever have yet been in this, or probably in any other institution for their education. Let it not be said that we have an institution twenty-eight years old, for the education of an afflicted and helpless class, in which only one fifth are provided a place, and we refuse to make provision for any more.

The estimated cost of the proposed improvement is \$2,500. Of this sum the Institution proposes to furnish, from its limited means, \$500 ; and the generous citizens of Danville, by private contribution, \$500 ; this leaves but \$1,500 to be furnished by the commonwealth, which, for so desirable an object, we can hardly believe the legislature will hesitate to appropriate.



Your committee would also represent that the annual allowance for state pupils, for board, tuition, &c., is now, and has been for some years, reduced to \$120. The original allowance, the committee are informed, was \$150; but, finding they could be sustained on a less sum, it was reduced, by the suggestion of the superintendent, to the present allowance. With this sum the Institution is enabled to employ but three instructors, including the superintendent, to impart instruction to the four classes now organized. Your committee are well satisfied that this number of teachers are insufficient, and that a great waste of the time of the pupils is the necessary consequence. Mutes cannot study a lesson of any description without the constant aid of an instructor. In order, therefore, to enable the employment of another assistant teacher, as also, to meet the general advance in the cost of living in this community, your committee recommend the enactment of a law raising the allowance for state pupils from \$120 to \$140, each, per annum.

Your committee cannot close this report without a reiteration of their entire confidence in the high qualification and untiring devotion of the present able and excellent superintendent, Mr. John A. Jacobs; as also, of their unqualified indorsement of the humane attention and parental kindness with which the physical comfort and moral training of the inmates are guarded and provided.

WM. ARCHER HOOE, *Ch. S. C.*

A. I. CALDWELL.

NORVIN GREEN, *Ch. H. R. C.*

W. F. MOORE,

J. F. BULLITT,

W. C. ANDERSON,

J. H. THOMAS.

*Ordered*, That said report be referred to the committee on Claims.

A message was received from the Governor, by Mr. METCALFE, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in this House, of the following titles, to-wit:

An act to empower the city of Newport to convey lot No. 3 in said city.

An act to amend an act incorporating the Richmond Cemetery Company.

An act to extend the corporate limits of the city of Newport.

An act to charter the town of Mount Olivet, in Nicholas and Bracken counties.

An act to allow an additional term of the Harrison Circuit Court.

An act for the benefit of school district No. 20, in Crittenden county.

An act for the benefit of the Kentucky School of Medicine.

An act to change the time of the meeting of the General Assembly.

An act for the benefit of H. Woodyard, late sheriff of Grant county.

An act to change a place of voting in Muhlenburg county.

An act to repeal an act, entitled, an act to amend the road law in Pendleton county, approved February 25, 1851.

An act to change the place of voting in an election precinct in Jefferson county.

An act for the benefit of James H. Godsey, former sheriff of Johnson county, and George H. Morrow, late sheriff of McCracken county.

An act to suspend the operation of the law in relation to changing common school districts in the county of Christian.

An act to exempt certain persons from paying toll at the gates on the Lexington and Covington turnpike road, in Grant county.

An act to prevent the erection of obstructions on Quicksand creek, in Breathitt county.

An act altering school districts Nos. 55 and 29, in Morgan county.

An act to establish and regulate the width of a certain portion of the road leading from Richmond to Mountsterling.

An act for the benefit of William Alexander.

An act for the benefit of William Meredith.

An act for the benefit of George H. Morrow.

An act to change the state road leading from Hopkinsville to Clarksville, in Tennessee.

Approved December 27, 1851.

An act for the benefit of Robert Butler, of Simpson county.

An act better to define the boundary lines of Todd county.

An act to change the lines between districts Nos. 1 and 2, in Lincoln county.

An act to change the voting place in district No. 4, in Henderson county.

An act to amend an act, entitled, an act further to provide for the collection of tolls on Kentucky, Green, and Big Barren rivers.

An act to amend the charter of the Paris and Winchester Turnpike Road Company.

An act changing the lines of Magistrates' and Constables' districts in Harrison county.

An act to establish a school district in Hancock county.

An act for the benefit of Samuel T. Ray.

An act for the benefit of the Sheriffs of Taylor and Cumberland counties.

An act for the benefit of the Sheriff of Graves county.

An act for the benefit of Elizabeth Jones, as administratrix of George Jones, deceased.

An act incorporating the Newport and Covington Bridge Company.

An act to amend an act establishing Morgantown Seminary, in Butler county.

An act to amend an act, entitled, an act to fix the time of holding the circuit courts of this commonwealth.

An act to change Magistrates' districts No. 1, in Crittenden county, and No. 1, in Madison county.

An act to change the line of the Burlington and Taylorsport election precincts in Boone county.

An act concerning the Marshal of the town of Lancaster, and to establish the office of Marshal in the town of Richmond.

An act to change the line of a voting district in Logan county, and a Justices' district in Boone county.

An act for the benefit of Hiram Senior, of Union county, and Benjamin R. Briggs, of Ohio county.

An act authorizing the trustees of Russellville to tax nine and ten pin alleys.

An act to change the county line between the counties of Grant and Kenton.

An act relating to the poll tax in Campbell county.

An act changing part of the line between Oldham and Shelby counties.

Approved January 1, 1852.

An act to provide for the erection of a suitable monument over the grave of Col. Thomas Dollerhide.

An act to amend an act, entitled, an act incorporating the Crab Orchard and Crews' Knob Turnpike Road Company.

An act to amend the charter of the Newport Safety Fund Bank of Kentucky.

An act to provide for the completion of the Second Lunatic Asylum.

An act to change certain districts and precincts in Lawrence county.

An act for the benefit of the town of Princeton.

An act to establish an April and July term of the Breckinridge County Court.

An act for the benefit of James E. Gardner, of Butler county.

An act to change the place of voting from the house of Sarah Bates to the mouth of Mill Stone, in Letcher county.

An act to change the time of holding the quarterly terms of the County Judge of Daviess county.

An act for the benefit of the Sheriffs of Todd, Pulaski, and Green counties.

An act to extend the town limits of Shepherdsville.

An act to incorporate the Cynthiana Female Academy.

An act regulating the time of holding Magistrates' courts in Barren county.

An act to amend the law in relation to working the public highways in the county of Mason

An act to amend the charter of the town of Danville.



An act supplemental to the act incorporating the Commercial Bank of Paducah.

An act for the benefit of the Sheriff of Kenton county.

An act for the benefit of the Sheriff of Oldham county.

An act for the benefit of common schools in Estill county.

An act establishing an additional Magistrates' and Constable's district in Hancock county.

An act to establish tobacco inspections in the city of Louisville.

An act to amend an act, entitled, an act for the benefit of the heirs of James and Matthew Wakefield.

An act to charter Brookville Lodge, No. 154, of Free and Accepted Masons.

An act to amend the charter of the Kentucky Trust Company Bank.

An act for the benefit of George F. Hickman.

An act for the benefit of William Richards, of Bath county.

An act to amend the charter of the city of Lexington.

An act to change the time of holding the Garrard county and quarterly courts.

An act to incorporate the Coal Haven Coal Mining Company, of Daviess county.

An act to incorporate the Coal Haven Manufacturing Company.

Approved January 2, 1852.

The House resumed the consideration of the bill from the Senate, entitled, an act to adopt the Revised Statutes.

Mr. S. M. Moore moved to amend said bill, by striking out the 35th chapter, and inserting in lieu thereof the following, viz :

The laws now in force in relation to the common school instruction in this commonwealth, shall continue to be the law until otherwise directed by the legislature, and the said laws are referred to the board of public instruction; and that said board be authorized to digest the laws on said subject, and report the same to the next session of the general assembly.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Burnam and Landrum, were as follows, viz:

Those who voted in the affirmative, were

John S. Boyd,	Thomas R. Harman,	Samuel M. Moore,
Curtis F. Burnam,	Opie J. Lindsay,	Elijah G. Sebree,
Charles G. C. Canby,	Strother D. Mitchell,	Daniel B. Stivers,
Robert M. Carlisle,	Barnett C. Moran,	Drury Tye—12.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	William C. Grier,	Robert O. Morgan,
Granville C. Alfred,	David Griggs,	Birch Musselman,
William C. Anderson,	Grant Green,	Thomas J. Nash,
William Bailey,	Norvin Green,	Joseph A. Nevitt,
Cleaton Bane,	John J. Haley,	Micajah Oglesby,
Joseph H. Barlow,	Samuel Hatfield,	John J. Park,
James P. Bates,	Charles J. Helm,	Joel W. Sallee,
Charles M. Briggs,	Thomas Hagins,	William T. Samuels,
A. H. Bryan,	Garland Hurt,	Isaac N. Shepperd,
Joshua F. Bullitt,	John G. James,	James C. Sprigg,
Isaac Burnett,	Henry S. Johnson,	Green Sterett,
John Calvert,	Alfred M. Jones,	Napoleon B. Stone,
A. D. Cosby,	John B. Laffoon,	Joshua H. Thomas,
Hezekiah Cox,	John J. Landrum,	William O. Thomson,
Edwin S. Craig,	Charles Lee,	Lawrence S. Trimble,
Francis U. Dodds,	Joseph H. Lewis,	Thornton Triplett,
Ellis Duncan,	Robert G. Lewis,	Francis Troutman,
James Edelin,	Henry D. McHenry,	Claiborne J. Walton,
David Elms,	William McMillan,	John S. Williams,
Christian Engleman,	William C. McNary,	Alex. H. Willingham,
Francis Ford,	Elijah S. Mitchusson,	Francis H. Winfrey,
John F. Gaar,	Andrew Monroe,	Chas. G. Wintersmith—67.
Jacob S. Golladay,		

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Marshall and Landrum, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	David Griggs,	Birch Musselman,
Granville C. Alfred,	Grant Green,	Thomas J. Nash,
William C. Anderson,	Norvin Green,	Joseph A. Nevitt,
William Bailey,	John J. Haley,	Micajah Oglesby,
Cleaton Bane,	Samuel Hatfield,	John J. Park,
Joseph H. Barlow,	Charles J. Helm,	Joel W. Sallee,
James P. Bates,	Thomas Hagins,	William T. Samuels,
John S. Boyd,	John B. Holladay,	Isaac N. Shepperd,
Charles M. Briggs,	Garland Hurt,	Green Sterett,
A. H. Bryan,	John G. James,	Napoleon B. Stone,
Joshua F. Bullitt,	Henry S. Johnson,	Joshua H. Thomas,
Isaac Burnett,	Alfred M. Jones,	William O. Thomson,
Robert M. Carlisle,	John B. Laffoon,	Lawrence S. Trimble,
A. D. Cosby,	Charles Lee,	Thornton Triplett,
Hezekiah Cox,	Joseph H. Lewis,	Francis Troutman,
Francis U. Dodds,	Robert G. Lewis,	Claiborne J. Walton,
Ellis Duncan,	Opie J. Lindsay,	William C. Webster,
James Edelin,	Henry D. McHenry,	John S. Williams,
David Elms,	William McMillan,	Alex. H. Willingham,
Francis Ford,	William C. McNary,	James C. Wilmore,

John F. Gaar,  
Jacob S. Golladay,  
William C. Grier,

Robert O. Morgan,  
Samuel M. Moore,

Francis H. Winfrey,  
Chas. G. Wintersmith—67.

Those who voted in the negative, were

Curtis F. Burnam,	Strother D. Mitchell,	Elijah G. Sebree,
Charles G. C. Canby,	Elijah S. Mitchusson,	James C. Sprigg,
Elisha S. Fitch,	Andrew Monroe,	Daniel B. Stivers,
John J. Landrum,	Barnett C. Moran,	Drury Tye—14.
Thomas F. Marshall,	William F. Moore,	

*Resolved*, That the title thereof be as aforesaid.

Mr. Jones, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz :

An act to incorporate the Louisville Farmers Tobacco Warehouse.

An act to re-establish a portion of the line between the counties of Hickman and Graves.

An act to establish an additional Justices' district and election precinct in Nicholas county.

An act concerning certain public books.

An act for the benefit of the Covington and Lexington Railroad Company.

An act for the benefit of Samuel P. Lasley, and Mary his wife.

An act to incorporate Pleasant Grove Division, No. 253, in Trimble county.

An act to establish an election precinct in Keysburg, in Logan county.

An act for the benefit of common school districts in this commonwealth.

An act to incorporate the Owingsville and Mountsterling Turnpike Road Company.

An act establishing additional voting places in Kenton and Campbell counties.

An act for the benefit of Monroe county.

An act to incorporate the Franklin Female Institute.

An act for the benefit of George S. Gravit, late Sheriff of Grant county.

An act to incorporate the town of Sparta, in Owen county.

An act to authorize the County Court of Simpson to take and hold stock in a railroad or railroads.

An act to enlarge Magistrates' and Constable's district, No. 2, in Hopkins county.

An act to change the time of holding Justices' courts in the county of Bracken.



An act to authorize the county of Graves to hold railroad stock.

An act to divide Hopkins county into seven Magistrates' and Constables' districts.

An act to authorize the Russell County Court to sell clerk's office furniture.

An act to change the boundaries of certain election precincts in Trigg county, and for other purposes.

An act further to regulate the town of Mount Gilead, in Pulaski county.

An act to create an additional Constable's and Justices' district in Hickman county.

An act to add the residence of George Spegall, in Pendleton county, to the county of Kenton.

An act to amend an act, entitled, an act to provide for the sale of Island No. 4, in the Mississippi river, approved February 29, 1848.

An act to change the line of the Justices' and Constables' districts, Nos. 1 and 3, in Green county.

An act for the benefit of Samuel Woodson, late Clerk of the Hopkins Circuit Court.

An act to incorporate the Commercial Bank of Paducah.

An act to amend an act, entitled, an act to establish the town of Brooklyn, in Campbell county, approved February 27, 1849.

An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

An act to establish the town of Stylesville, in Pulaski county.

An act to incorporate the Owingsville and Poplar Plains Turnpike Road Company.

An act for the benefit of common school district No. 34, at Petersburg.

And bills, which originated in this House, of the following titles, to-wit :

An act to incorporate the town of New Haven.

An act to give additional power to the Madison County Court.

An act to fix the time of holding the circuit courts in the 8th judicial district.

An act concerning the public records of the Bracken County Court.

An act to charter Union Lodge, No. 10, I. O. O. F., Nicholasville.

An act to amend the charter of the Perryville and Springfield Turnpike Road Company.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Jones inform the Senate thereof.

The House again resumed the consideration of the bill to divide the state into congressional districts, and the amendment proposed thereto by Mr. Burnett as a substitute for said bill.

Mr. McHenry moved to amend the amendment of Mr. Burnett by way of substitute.

And the question being taken thereon, it was decided in the negative.

The hour of 12 o'clock having arrived, the House proceeded to the orders of the day.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz :

An act to incorporate the Nashville and Cincinnati Railroad Company.

An act for the benefit of the Sheriff of Bath county.

An act for the benefit of the Sheriff of Caldwell county.

An act for the benefit of the town of Dycusburg, in Crittenden county.

An act for the benefit of John Bell, jr.

An act to incorporate the Kentucky River Navigation Company.

An act making additional voting places in districts Nos. 3 and 7, and changing the place of voting in district No. 4, in Greenup county.

An act to authorize the County Court of Harrison county to borrow money.

An act authorizing the Judge of the Hart County Court to hold a July term of said court.

Were taken up, twice read, and concurred in.

The amendments proposed by the Senate, to a bill from this House, entitled, an act for the benefit of the Louisville and Covington Railroad Company, were taken up, twice read, and concurred in, with an amendment.

The committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz :

An act supplemental to an act, entitled, an act to amend an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850, and for other purposes.

An act calling a convention in the city of Newport.

An act to establish and incorporate the town of Bloomington, in Franklin county.

An act for the benefit of the administrator of Dixon Givens, deceased. Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The committee on County Courts, to whom was referred a bill from the Senate, entitled, an act to provide for an additional Magistrates' district, No. 9, in Caldwell county, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The committee on Education, to whom was referred bills from the Senate, of the following titles, viz :

An act for the benefit of school district No. 29, in Owen county.

An act for the benefit of school districts Nos. 28 and 29, in Mercer county.

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to authorize the County Court of Daviess county, and other counties so disposed, to subscribe stock in the Louisville and Mississippi Railroad Company, and in the Louisville and Nashville Railroad Company, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on County Courts—1. A bill fixing the time of holding the Court of Claims in Fayette county, and certain terms of the Jessamine County Court.

By same—2. A bill for the benefit of the Fleming County Court.

By same—3. A bill to establish an additional Justices' district, No. 7, in McCracken county.

By same—4. A bill to change the time of holding the August term of the Laurel quarterly court.



By same—5. A bill to incorporate the Paducah Farmers Warehouse Company.

By the committee on the Judiciary—6. A bill to incorporate the Peoples' Turnpike Road Company.

By same—7. A bill for the benefit of the town of Danville.

By same—8. A bill to incorporate Daniel Boone Division, No. 35, Sons of Temperance.

By same—9. A bill to incorporate Herman Lodge, No. 17, I. O. O. F.

By the committee on County Courts—10. A bill to authorize the County Court of Bracken to discontinue the state road from Augusta to Brooksville.

By the committee on Internal Improvement—11. A bill to amend the charter of the Augusta, Cynthiana, and Georgetown Turnpike Road Company.

By same—12. A bill to grant certain privileges to the Dutch Ridge Turnpike Road Company.

By the committee on Privileges and Elections—13. A bill to change the boundary of Magistrates' and Constable's district, No. 4, in Breckinridge county.

By the committee on Propositions and Grievances—14. A bill for the benefit of the city of Newport.

By Mr. Cox—15. A bill for the benefit of the Gallatin County Academy, and common school district in Carroll county.

By the committee on the Judiciary—16. A bill to incorporate North Middletown Royal Arch Chapter, No. 26, and Morrison Lodge, No. 103, of Free and Accepted Masons.

By same—17. A bill to charter the Lexington and Kentucky River Railroad Company.

By the committee on Privileges and Elections—18. A bill to change the boundary line of Justices' district, No. 8, in Daviess county.

By the committee on Internal Improvement—19. A bill for the benefit of Maysville and Mountsterling Turnpike Road Company.

By the committee on the Judiciary—20. A bill to amend the charter of the Frankfort and Lawrenceburg Turnpike Road Company.

By the committee on Claims—21. A bill for the benefit of George W. Lewis.

By the committee on Privileges and Elections—22. A bill to change the voting place in district No. 3, in Hart county.

By the committee on Education—23. A bill for the benefit of district No. 4, in Grant county.

By the committee on Propositions and Grievances—24. A bill to ex-

tend the corporate limits of the town of Henderson, in Henderson county.

By the committee on Privileges and Elections—25. A bill to establish an additional Justices' and Constable's district and election precinct in Jefferson county.

By Mr. Webster—26. A bill declaring Robinson's creek a navigable stream.

By Mr. Hurt—27. A bill to charter the Mountsterling and Virginia Turnpike Road Company.

By same—28. A bill for the benefit of Harry Stratton.

By same—29. A bill for the benefit of George W. Mayo.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Helm moved the following resolution, viz :

*Resolved by the House of Representatives of the Commonwealth of Kentucky*, That the President of the Board of Internal Improvement be instructed to report to this house as early as practicable whether or not he has sold the stone at the locks and dams on Licking river; and if so, by what authority he has made such sale or sales.

Which was adopted.

Leave was given to bring in the following bills, viz :

On motion of Mr. Willingham—1. A bill for the benefit of school districts Nos. 21 and 42, in Graves county.

On motion of same—2. A bill authorizing the trustees of the town of Mayfield to lay off and sell additional town lots to said town.

On motion of Mr. Hurt—3. A bill to amend the exemption law.

On motion of same—4. A bill to charter the Kentucky and Virginia Railroad Company.

*Ordered*, That Messrs. Willingham, Burnett, and Trimble, prepare and bring in the 1st and 2d; the committee on the Judiciary, the 3d; and Messrs. Hurt, James, and Williams, the 4th.

Bills from the Senate, of the following titles, viz :

1. An act for the benefit of Green Gill and Isaac Johnson.

2. An act giving Julius Hacker, Sheriff of Owsley county, further time to return his delinquent list.

3. An act changing the time of holding the Estill and Franklin Circuit Courts.

4. An act to incorporate the Frankfort and Midway Turnpike Company.

5. An act to amend an act incorporating certain turnpike roads in Garrard county.

6. An act for the benefit of the Clerk of the Hardin Circuit Court.

7. An act to amend an act, entitled, an act to charter the town of Simpsonsville, in Shelby county.

8. An act for the benefit of the Louisville and Oldham Turnpike Road Company.

9. An act to authorize the Oakland plank road company to construct a branch road.

10. An act better to define the boundary of the city of Louisville.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was referred to the committee on Claims; the 2d, 4th, 5th, 6th, 7th, 8th, and 9th, were severally ordered to be read a third time; the 3d was referred to Messrs. Monroe, Burnam, and Jackson; and the 10th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 2d, 4th, 5th, 6th, 7th, 8th, and 9th bills having been dispensed with,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Walton presented the petition of the citizens of Woodsonville, in Hart county, praying a repeal of the charter of said town, granted at the last session; which was received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

Mr. Alfred, from the committee on Privileges and Elections, made the following report.

The committee on Privileges and Elections have, according to order, had under consideration the returns of the sheriffs of this commonwealth, and make thereon the following report. In the opinion of this committee the following gentlemen are returned duly elected to serve as members of the house of representatives for the present general assembly, viz:

From the county of *Adair*—Solomon Baker.

From the county of *Anderson*—Alvin Herndon.

From the county of *Allen*—Joseph H. Barlow.

From the county of *Barren*—Joseph H. Lewis and James P. Bates.

From the county of *Bath*—William Bailey.

From the county of *Boone*—Charles G. C. Canby.

From the county of *Bourbon*—Francis Troutman.

From the county of *Boyle*—William C. Anderson.

From the county of *Bracken*—William O. Thomson.

From the county of *Breckinridge*—Joshua H. Thomas.

From the county of *Bullitt*—Charles Lee.

From the counties of *Butler* and *Edmonson*—David Elms.



- From the county of *Caldwell*—Elijah S. Mitchusson.  
From the county of *Calloway*—Francis U. Dodds.  
From the county of *Campbell*—Charles J. Helm.  
From the counties of *Carroll* and *Trimble*—Hezekiah Cox.  
From the county of *Carter*—John J. Park.  
From the counties of *Casey* and *Russell*—Napoleon B. Stone.  
From the county of *Christian*—John J. Thomas.  
From the county of *Clarke*—John S. Williams.  
From the counties of *Clay* and *Owsley*—Daniel B. Stivers.  
From the counties of *Clinton* and *Cumberland*—Francis H. Winfrey.  
From the county of *Crittenden*—Francis Ford.  
From the county of *Daviess*—A. D. Cosby.  
From the county of *Estill*—William G. Jackson.  
From the county of *Fayette*—George Robertson and John G. James.  
From the county of *Fleming*—Elisha S. Fitch and Robert G. Lewis.  
From the county of *Franklin*—Andrew Monroe.  
From the county of *Gallatin*—John J. Landrum.  
From the county of *Garrard*—George R. McKee.  
From the county of *Grant*—Opie J. Lindsay.  
From the county of *Graves*—Alexander H. Willingham.  
From the county of *Grayson*—James Edelin.  
From the county of *Green*—Alfred M. Jones.  
From the county of *Greenup*—William C. Grier.  
From the county of *Hancock*—Green Sterett.  
From the county of *Hardin*—Charles G. Wintersmith and William T. Samuels.  
From the county of *Harrison*—John S. Boyd and Alvin M. Hume.  
From the county of *Hart*—Claiborne J. Walton.  
From the county of *Henderson*—Grant Green.  
From the county of *Henry*—Norvin Green.  
From the counties of *Hickman* and *Fulton*—Price Edrington.  
From the county of *Hopkins*—John B. Laffoon.  
From the county of *Jefferson*—Benjamin H. Kerrick and John F. Gaar.  
From the county of *Jessamine*—James C. Wilmore.  
From the counties of *Johnson* and *Floyd*—Garland Hurt.  
From the county of *Kenton*—Robert M. Carlisle and Samuel M. Moore.  
From the counties of *Knox* and *Harlan*—Drury Tye.  
From the county of *Larue*—Joseph A. Nevitt.  
From the counties of *Laurel* and *Rockcastle*—John J. Haley.  
From the county of *Lawrence*—William F. Moore.  
From the county of *Lewis*—Cleaton Bane.  
From the counties of *Letcher*, *Pike*, and *Perry*—James H. Hundley.  
From the county of *Lincoln*—Christian Engleman.  
From the counties of *Livingston* and *Marshall*—Robert O. Morgan.  
From the county of *Logan*—Jacob S. Golladay.  
From the city of *Louisville*—Joshua F. Bullitt, Edwin S. Craig, Birch Musselman, and A. H. Bryan.  
From the county of *Madison*—Curtis F. Burnam and Barnett O. Moran.

From the county of *Marion*—Thomas J. Nash.  
 From the county of *Mason*—Henry S. Johnson and John A. Keith.  
 From the counties of *McCracken* and *Ballard*—Lawrence S. Trimble.  
 From the county of *Meade*—David Griggs.  
 From the county of *Mercer*—Willis S. Chaplin.  
 From the county of *Monroe*—Micajah Oglesby.  
 From the county of *Montgomery*—Strother D. Mitchell.  
 From the counties of *Morgan* and *Breathitt*—Thomas Hagins.  
 From the county of *Muhlenburg*—William C. McNary.  
 From the county of *Nelson*—Ellis Duncan.  
 From the county of *Nicholas*—John B. Holladay.  
 From the county of *Oldham*—Thornton Triplett.  
 From the county of *Ohio*—Henry D. McHenry.  
 From the county of *Owen*—John Calvert.  
 From the county of *Pendleton*—Benjamin F. Hume.  
 From the county of *Pulaski*—Joel W. Sallee.  
 From the county of *Scott*—William McMillan.  
 From the county of *Shelby*—James L. Caldwell and James C. Sprigg.  
 From the county of *Simpson*—Samuel Hatfield.  
 From the county of *Spencer*—Jonathan Davis.  
 From the county of *Taylor*—William C. Webster.  
 From the county of *Todd*—Elijah G. Sebree.  
 From the county of *Trigg*—Isaac Burnett.  
 From the county of *Union*—Thomas R. Givens.  
 From the county of *Warren*—Charles M. Briggs.  
 From the county of *Washington*—Granville C. Alfred.  
 From the county of *Wayne*—Isaac N. Shepperd.  
 From the county of *Whitley*—Thomas R. Harman.  
 From the county of *Woodford*—Thomas F. Marshall.

Which report is respectfully submitted.

G. C. ALFRED, *Cl'mn Com. P. & E.*

Mr. Bullitt moved a reconsideration of the vote concurring in the amendment proposed by the Senate, to a resolution from this House, for a final adjournment of the general assembly.

The said amendment was to strike out the word "twelfth," and insert the word "seventh."

Mr. S. M. Moore moved to postpone the further consideration of said motion to reconsider until Tuesday next, at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. S. M. Moore and Nash, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Robert M. Carlisle,	Thomas J. Nash,
Cleaton Bane,	John F. Gaar,	Joel W. Sallee,
Joseph H. Barlow,	Grant Green,	Isaac N. Shepperd,
John S. Boyd,	Thomas Hagins,	Green Sterett,
Curtis F. Burnam,	John B. Laffoon,	Joshua H. Thomas,
Isaac Burnett,	William C. McNary,	Thornton Triplett,
John Calvert,	Samuel M. Moore,	Francis H. Winfrey—21.

## Those who voted in the negative, were

Granville C. Alfred,	William G. Jackson,	William F. Moore,
William C. Anderson,	John G. James,	Birch Musselman,
Charles M. Briggs,	Henry S. Johnson,	William T. Samuels,
Joshua F. Bullitt,	John J. Landrum,	James C. Sprigg,
A. D. Cosby,	Joseph H. Lewis,	Daniel B. Stivers,
Edwin S. Craig,	Robert G. Lewis,	William O. Thomson,
Ellis Duncan,	Opie J. Lindsay,	Francis Troutman,
David Griggs,	Thomas F. Marshall,	Drury Tye,
John J. Haley,	George R. McKee,	Claiborne J. Walton,
Thomas R. Harman,	Strother D. Mitchell,	John S. Williams,
James H. Hundley,	Andrew Monroe,	James C. Wilmore—35.
Garland Hurt,	Barnett C. Moran,	

The question was then taken on reconsidering the vote concurring in said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. S. M. Moore and Triplett, were as follows, viz :

## Those who voted in the affirmative, were

Granville C. Alfred,	Garland Hurt,	Andrew Monroe,
Charles M. Briggs,	William G. Jackson,	Barnett C. Moran,
Joshua F. Bullitt,	John G. James,	William F. Moore,
Curtis F. Burnam,	Henry S. Johnson,	Birch Musselman,
A. D. Cosby,	John J. Landrum,	William T. Samuels,
Edwin S. Craig,	Joseph H. Lewis,	James C. Sprigg,
Ellis Duncan,	Robert G. Lewis,	Daniel B. Stivers,
David Griggs,	Opie J. Lindsay,	Francis Troutman,
John J. Haley,	Thomas F. Marshall,	Drury Tye,
Thomas R. Harman,	George R. McKee,	Claiborne J. Walton,
Thomas Hagins,	Strother D. Mitchell,	John S. Williams—34.
James H. Hundley,		

## Those who voted in the negative, were

Mr. Speaker, (Robertson,)	William C. McNary,	William O. Thomson,
William C. Anderson,	Samuel M. Moore,	Thornton Triplett,
Joseph H. Barlow,	Joel W. Sallee,	William C. Webster,
John S. Boyd,	Isaac N. Shepperd,	James C. Wilmore,
William C. Grier,	Green Sterett,	Francis H. Winfrey—17.
John B. Lafoon,	Joshua H. Thomas,	

*Ordered*, That the further consideration of said resolution and amendment be postponed until Tuesday next, at 10 o'clock.

And then the House adjourned.



MONDAY, JANUARY 5, 1852.

The amendments proposed by the Senate, to a bill from the House of Representatives, entitled, an act for the benefit of the Kentucky Institution for the Education of the Blind, were taken up, and concurred in.

1. Mr. Bullitt presented the petition of the Clerk of the Jefferson Circuit Court, praying compensation for services in criminal prosecutions.

2. Also, the petition of E. S. Worthington, praying compensation for services rendered as clerk to the commissioners appointed to revise the statutes.

3. Mr. Herndon presented the petition of sundry citizens of Anderson county, praying the formation of a new school district in said county.

4. Mr. Bates presented the petition of Franklin Settle, praying that Joseph H. Holeman be permitted to appoint a deputy as constable of Barren county.

5. Mr. Mitchell presented the petition of sundry citizens of Montgomery county, praying a reduction of the tolls on the Mountsterling and Maysville Turnpike Road.

6. Mr. Hurt presented the petition of sundry citizens of Prestonsburg, in Floyd county, praying that a law pass to prevent the sale of spirituous liquors in said town.

7. Mr. Triplett presented the petition of Erie Anderson, praying compensation for taking a lunatic to Lexington.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Circuit Courts; the 2d and 7th to the committee on Claims; the 3d to the committee on Education; the 4th to the committee on the Judiciary; the 5th to the committee on Internal Improvement; and the 6th to the committee on Religion.

Mr. Webster reported a bill in relation to the Louisville and Portland railroad, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of the Deaf and Dumb Asylum of Kentucky, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Grant Green,	Barnett C. Moran,
Granville C. Alfred,	Norvin Green,	Robert O. Morgan,
William C. Anderson,	John J. Haley,	Samuel M. Moore,
William Bailey,	Thomas R. Harman,	William F. Moore,
Cleaton Bane,	Charles J. Helm,	Birch Musselman,
Joseph H. Barlow,	Alvin Herndon,	Thomas J. Nash,
James P. Bates,	Thomas Hagins,	Joseph A. Nevitt,
John S. Boyd,	John B. Holladay,	Micajah Oglesby,
Charles M. Briggs,	James H. Hundley,	John J. Park,
A. H. Bryan,	Garland Hurt,	William T. Samuels,
Joshua F. Bullitt,	William G. Jackson,	Elijah G. Seabee,
Curtis F. Burnam,	John G. James,	Isaac N. Shepperd,
Isaac Burnett,	Henry S. Johnson,	Green Sterett,
John Calvert,	Alfred M. Jones,	Daniel B. Stivers,
Robert M. Carlisle,	John A. Keith,	Napoleon B. Stone,
Willis S. Chaplin,	John B. Laffoon,	John J. Thomas,
A. D. Cosby,	John J. Landrum,	Joshua H. Thomas,
Francis U. Dodds,	Charles Lee,	William O. Thomson,
Ellis Duncan,	Joseph H. Lewis,	Lawrence S. Trimble,
James Edelin,	Robert G. Lewis,	Thornton Triplett,
David Elms,	Opie J. Lindsay,	Drury Tye,
Christian Engleman,	Henry D. McHenry,	Claiborne J. Walton,
Elisha S. Fitch,	William McMillan,	William C. Webster,
Francis Ford,	William C. McNary,	Alex. H. Willingham,
John F. Gaar,	Strother D. Mitchell,	James C. Wilmore,
William C. Grier,	Elijah S. Mitchusson,	Francis H. Winfrey,
David Griggs,	Andrew Monroe,	Chas. G. Wintersmith—81.

In the negative—none.

*Resolved*, That the title thereof be as aforesaid.

Mr. Jackson, from the committee to whom was referred a bill from the Senate, entitled, an act changing the time of holding the Estill and Franklin Circuit Courts, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Wintersmith,

*Ordered*, That the select committee to whom was referred a bill for the benefit of Ann Ferguson, and others, be discharged from the further consideration of the same.

*Ordered*, That said bill be laid on the table, and that each party have leave to withdraw their papers and exhibits filed therein.

Mr. N. Green, from the committee on the Penitentiary, made the following report, viz :

The joint committee on the Penitentiary respectfully report, that they have, both in committee and each individually, visited, from time to time, the state prison, and inquired and inspected into its condition, and the general treatment of its convicts, and management of its concerns ; and submit the result of their investigations, as follows :

Your committee fully concur with the report of the keeper of the penitentiary to the present general assembly, that the cells are in an unsafe condition, for want of a more secure and impregnable covering over the upper tier of cells, which have now nothing but a light brick arch over each cell, between the lodgment of the convicts and the attic story of the building, from which story an opening through an ordinary shingle roof, and a descent therefrom of some twenty feet, would let the prisoner into the freedom of the world without the walls of the prison. The committee find that the commissioners of the sinking fund are fully authorized, by law, to direct any necessary improvements, and only regret that no improvement in the security of the cells has yet been made or contracted for. The committee also regard the cells as defective in a sanitary respect, for want of sufficient ventilation ; and would respectfully suggest that the commissioners, already charged with necessary improvements, be also instructed to remedy this defect, which the committee are of opinion can be easily done by making a grated opening at the heads between each two opposing cells.

These improvements, both in the ventilation and security of the cells, the committee regard as of the most urgent importance. Until the former is made, the cells must continue damp, disagreeable in odor, and unhealthy to occupy ; while, for want of the latter, the institution is now compelled to maintain an armed night guard, in a cold, disagreeable garret, to prevent the escape of the convicts.

The attention of your committee was also called to the hospital, which, after full examination, they are decidedly of opinion, is unfit for the purpose to which it is appropriated. It has neither the capacity of size nor the necessary ventilation to preserve the health of the average number of persons doomed to its occupation, much less to afford them eligible quarters for recovery from serious illness. Your committee find no room about the institution of sufficient dimensions and adaptation to the abode of the sick, and have no hesitation in declaring it the duty of the state to erect a new and capacious hospital for the accommodation of the convicts.

The committee, from all they could see and ascertain, are of opinion that the convicts are treated with proper humanity, and wholesome discipline. They believe the law of last session, designed more especially to provide for their comfortable clothing and lodgment, has been substantially complied with ; and are persuaded that a due regard is paid to their personal cleanliness and decency of habits. Their food, too, the committee believe to be substantial, wholesome, and liberal in quantity. They also seem to preserve a proper decorum and observe becoming



subordination, which your committee believe is maintained with a rigid though humane discipline by the keeper and his assistants and guards.

Of the business operations of the institution, your committee did not make a detailed investigation, for the reason that its financial condition is fully reported by the clerk of the penitentiary, and the law now directs an annual settlement with the commissioners of the sinking fund, in whose competence to investigate its fiscal transactions, it is believed the general assembly have implicit confidence. The committee would say, however, that they visited the various working departments of the prison, and found the whole characterized with order, industry, and energy.

By the 16th section of an act, approved February 18, 1848, "the first and second auditors, treasurer, register, and attorney general are appointed a board of visitors, whose duty it shall be to visit the penitentiary as often as they may think proper, and at least *once in each month*, and make examination into the state of the institution, the health of the convicts, the manner of dieting them, the cleanliness of the cells, and the treatment of the convicts generally, and *make such report to the legislature as the condition of the institution may require.*"

This regulation your committee regard as eminently wholesome, and highly essential to the security of proper humanity and discipline, and the safeguard of the state's interest in its business profits; and deeply regret to hear that it has been so illy complied with on the part of said board of visitors. They have not only made no "report to the legislature," but the committee are informed by the keeper that they have not held a session at the penitentiary for a twelvemonth, some of them have never visited the institution at all, and others have only casually called and superficially inquired into its general concerns.

On this board of visitors a vacancy occurs by the reduction of the number of auditors to one; and the committee would suggest the addition of the secretary of state to fill the vacancy, and recommend such action on the part of the general assembly as will remind said board of the important interests committed to their charge, and the necessity of more vigilant attention to the duties assigned them.

J. P. ORR, *Ch'n Senate Com.*

J. J. THOMASSON,

W. W. HALEY,

REUBEN MUNDAY,

J. G. McFARLAND,

N. GREEN, *Ch'n H. R. Com.*

ANDREW MONROE,

B. F. HUME,

ELLIS DUNCAN,

J. C. WILMORE,

GARLAND HURT,

THOS. R. GIVENS.

*Ordered*, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. N. Green, from the same committee, read and laid on the table the following resolutions, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the secretary of state be and is hereby added to the board of visitors appointed by an act approved 18th February, 1848, to visit statedly and examine into the affairs of the penitentiary.

*Resolved,* That the duties assigned the board of visitors by said act are important to the interests of the state in that institution, and devolve an essential and responsible labor upon the members of said board.

*Resolved,* That the commissioners of the sinking fund be and they are hereby directed, in the pursuance of the power already vested in them by law, to direct and contract for the necessary improvements for the ventilation and safety of the cells of the penitentiary, and for the erection of a new and suitable hospital in said institution.

Mr. Anderson moved to dispense with the rules, in order to take up for consideration the bill from the Senate, entitled, an act for the appropriation of money, and it was decided in the affirmative.

Mr. Monroe moved a reconsideration of said vote.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Monroe and Johnson, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	John A. Keith,	Birch Musselman,
Charles M. Briggs,	John J. Landrum,	William T. Samuels,
Joshua F. Bullitt,	Joseph H. Lewis,	Daniel B. Stivers,
Edwin S. Craig,	Robert G. Lewis,	Joshua H. Thomas,
Ellis Duncan,	Henry D. McHenry,	William O. Thomson,
Elisha S. Fitch,	William C. McNary,	Francis Troutman,
David Griggs,	Strother D. Mitchell,	Drury Tye,
John B. Holladay,	Andrew Monroe,	John S. Williams,
John G. James,	Barnett C. Moran,	James C. Wilmore,
Henry S. Johnson,	William F. Moore,	Chas. G. Wintersmith—30.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	John F. Gaar,	Elijah S. Mitchusson,
William C. Anderson,	William C. Grier,	Robert O. Morgan,
William Bailey,	Grant Green,	Samuel M. Moore,
Cleaton Bane,	Norvin Green,	Thomas J. Nash,
Joseph H. Barlow,	John J. Haley,	Joseph A. Nevitt,
James P. Bates,	Thomas R. Harman,	Micajah Oglesby,
John S. Boyd,	Samuel Hatfield,	Elijah G. Sebree,
A. H. Bryan,	Charles J. Helm,	Isaac N. Shepperd,
Curtis F. Burnam,	Alvin Herndon,	Green Sterett,
Isaac Burnett,	Thomas Hagins,	Napoleon B. Stone,
John Calvert,	James H. Hundley,	John J. Thomas,
Charles G. C. Canby,	Garland Hurt,	Lawrence S. Trimble,
A. D. Cosby,	William G. Jackson,	Thornton Triplett,
Francis U. Dodds,	John B. Laffoon,	Claiborne J. Walton,
James Edelin,	Charles Lee,	William C. Webster,
David Elms,	Opie J. Lindsay,	Alex. H. Willingham,
Christian Engleman,	William McMillan,	Francis H. Winfrey—52.
Francis Ford,		

The said bill was then read the first time, and ordered to be read a second time.

*Ordered*, That said bill have its second reading on to-morrow, at 3 o'clock.

The House again resumed the consideration of the bill to divide the state into congressional districts, and the amendment proposed thereto by Mr. Burnett as a substitute for said bill.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bates and Willingham, were as follows, viz:

Those who voted in the affirmative, were

William Bailey,	William C. Grier,	Thomas J. Nash,
Cleaton Bane,	Grant Green,	Joseph A. Nevitt,
Joseph H. Barlow,	Norvin Green,	Micajah Oglesby,
James P. Bates,	Samuel Hatfield,	John J. Park,
John S. Boyd,	Charles J. Helm,	Joel W. Sallee,
A. H. Bryan,	Alvin Herndon,	James C. Sprigg,
Isaac Burnett,	Thomas Hagins,	Green Sterett,
John Calvert,	Garland Hurt,	Napoleon B. Stone,
Charles G. C. Canby,	John B. Laffoon,	John J. Thomas,
Robert M. Carlisle,	Charles Lee,	Lawrence S. Trimble,
Francis U. Dodds,	Thomas F. Marshall,	Thornton Triplett,
James Edelin,	William McMillan,	Claiborne J. Walton,
David Elms,	Elijah S. Mitchusson,	William C. Webster,
Francis Ford,	Robert O. Morgan,	Alex. H. Willingham,
John F. Gaar,	Samuel M. Moore,	James C. Wilmore—45.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	John B. Holladay,	Barnett C. Moran,
Granville C. Alfred,	James H. Hundley,	William F. Moore,
William C. Anderson,	William G. Jackson,	Birch Musselman,
Charles M. Briggs,	John G. James,	William T. Samuels,
Joshua F. Bullitt,	Henry S. Johnson,	Elijah G. Seebree,
Curtis F. Burnam,	Alfred M. Jones,	Isaac N. Shepperd,
Willis S. Chaplin,	John A. Keith,	Daniel B. Stivers,
A. D. Cosby,	John J. Landrum,	Joshua H. Thomas,
Edwin S. Craig,	Joseph H. Lewis,	William O. Thomson,
Ellis Duncan,	Robert G. Lewis,	Francis Troutman
Elisha S. Fitch,	Opie J. Lindsay,	Drury Tye,
Jacob S. Golladay,	Henry D. McHenry,	John S. Williams,
David Griggs,	William C. McNary,	Francis H. Winfrey,
John J. Haley,	Strother D. Mitchell,	Chas. G. Wintersmith—44.
Thomas R. Harman,	Andrew Monroe,	

Mr. Ford moved a reconsideration of the vote adopting the amendment proposed by Mr. Burnett.

And the question being taken thereon, it was decided in the affirmative.



The yeas and nays being required thereon by Messrs. Anderson and Oglesby, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John J. Haley,	Strother D. Mitchell,
Granville C. Alfred,	Thomas R. Harman,	Andrew Monroe,
William C. Anderson,	John B. Holladay,	Barnett C. Moran,
Charles M. Briggs,	James H. Hundley,	William F. Moore,
Joshua F. Bullitt,	William G. Jackson,	Birch Musselman,
Curtis F. Burnam,	John G. James,	William T. Samuels,
James L. Caldwell,	Henry S. Johnson,	Elijah G. Sebre,
Willis S. Chaplin,	Alfred M. Jones,	Isaac N. Shepperd,
A. D. Cosby,	John A. Keith,	Daniel B. Stivers,
Edwin S. Craig,	John J. Landrum,	Joshua H. Thomas,
Ellis Duncan,	Joseph H. Lewis,	William O. Thomson,
Christian Engleman,	Robert G. Lewis,	Francis Troutman,
Elisha S. Fitch,	Opie J. Lindsay,	Drury Tye,
Francis Ford,	Henry D. McHenry,	John S. Williams,
Jacob S. Golladay,	George R. McKee,	Francis H. Winfrey,
David Griggs,	William C. McNary,	Chas. G. Wintersmith—48.

Those who voted in the negative, were

William Bailey,	Grant Green,	Joseph A. Nevitt,
Cleaton Bane,	Norvin Green,	Micajah Oglesby,
Joseph H. Barlow,	Samuel Hatfield,	John J. Park,
James P. Bates,	Charles J. Helm,	Joel W. Sallee,
John S. Boyd,	Alvin Herndon,	James C. Sprigg,
A. H. Bryan,	Thomas Hagins,	Green Sterett,
Isaac Burnett,	Garland Hurt,	Napoleon B. Stone,
John Calvert,	John B. Laffoon,	John J. Thomas,
Charles G. C. Canby,	Charles Lee,	Lawrence S. Trimble,
Robert M. Carlisle,	Thomas F. Marshall,	Thornton Triplett,
Francis U. Dodds,	William McMillan,	Claiborne J. Walton,
James Edelin,	Elijah S. Mitchusson,	William C. Webster,
David Elms,	Robert O. Morgan,	Alex. H. Willingham,
John F. Gaar,	Samuel M. Moore,	James C. Wilmore—44.
William C. Grier,	Thomas J. Nash,	

The question was again taken on the adoption of the amendment proposed by Mr. Burnett, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Marshall and Triplett, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,	William C. Grier,	Thomas J. Nash,
Cleaton Bane,	Grant Green,	Joseph A. Nevitt,
Joseph H. Barlow,	Norvin Green,	Micajah Oglesby,
James P. Bates,	Samuel Hatfield,	John J. Park,
John S. Boyd,	Charles J. Helm,	Joel W. Sallee,
A. H. Bryan,	Alvin Herndon,	James C. Sprigg,
Isaac Burnett,	Thomas Hagins,	Green Sterett,
John Calvert,	Garland Hurt,	Napoleon B. Stone,
Charles G. C. Canby,	John B. Laffoon,	John J. Thomas,

Robert M. Carlisle,  
Francis U. Dodds,  
James Edelin,  
David Elms,  
Francis Ford,  
John F. Gaar,

Charles Lee,  
Thomas F. Marshall  
William McMillan,  
Elijah S. Mitchusson,  
Robert O. Morgan,  
Samuel M. Moore,

Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
James C. Wilmore—45.

Those who voted in the negative, were

Mr. Speaker, (Robertson,) Thomas R. Harman,  
Granville C. Alfred, John B. Holladay,  
William C. Anderson, James H. Hundley,  
Charles M. Briggs, William G. Jackson,  
Joshua F. Bullitt, John G. James,  
Curtis F. Burnam, Henry S. Johnson,  
James L. Caldwell, Alfred M. Jones,  
Willis S. Chaplin, John A. Keith,  
A. D. Cosby, John J. Landrum,  
Edwin S. Craig, Joseph H. Lewis,  
Ellis Duncan, Robert G. Lewis,  
Christian Engleman, Opie J. Lindsay,  
Elisha S. Fitch, Henry D. McHenry,  
Jacob S. Golladay, George R. McKee,  
David Griggs, William C. McNary,  
John J. Haley, Strother D. Mitchell,

Andrew Monroe,  
Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
William T. Samuels.  
Elijah G. Sebree,  
Isaac N. Shepperd,  
Daniel B. Stivers,  
Joshua H. Thomas,  
William O. Thomson,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
Francis H. Winfrey,  
Chas. G. Wintersmith—47.

Mr. Anderson moved the following amendment as a substitute for said bill :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That this state shall be divided into ten congressional districts, as follows, viz :

The first district shall be composed of the counties of Fulton, Hickman, Ballard, Graves, McCracken, Marshall, Calloway, Trigg, Crittenden, Caldwell, Livingston, Union, and Hopkins.

The second district shall be composed of the counties of Christian, Muhlenburg, Henderson, Daviess, Ohio, Butler, Hancock, Breckinridge, Grayson, Edmonson, and Meade.

The third district shall be composed of the counties of Todd, Logan, Simpson, Warren, Barren, Monroe, Hart, and Allen.

The fourth district shall be composed of the counties of Cumberland, Clinton, Wayne, Pulaski, Russell, Adair, Green, Casey, Lincoln, Boyle, Taylor, and Garrard.

The fifth district shall be composed of the counties of Hardin, Nelson, Bullitt, Spencer, Washington, Marion, Mercer, and Larue, and Anderson.

The sixth district shall be composed of the counties of Madison, Rockcastle, Laurel, Knox, Estill, Owsley, Clay, Perry, Letcher, Harlan, Pike, Floyd, Johnson, Breathitt, and Whitley.

The seventh district shall be composed of the counties of Shelby, Jefferson, Henry, Oldham, Trimble, and Carroll.

The eighth district shall be composed of the counties of Owen, Bourbon, Fayette, Woodford, Scott, Franklin, and Jessamine.

The ninth district shall be composed of the counties of Clarke, Montgomery, Bath, Fleming, Greenup, Carter, Lewis, Lawrence, Mason, and Bracken and Morgan.

The tenth district shall be composed of the counties of Pendleton, Campbell, Kenton, Grant, Boone, Gallatin, Harrison, and Nicholas.

§ 2. That on the first Monday in August, 1853, and on the same day of said month every two years thereafter, the qualified voters of the several districts aforesaid, at the places where they vote for representatives in the general assembly, shall vote for some fit person, who shall reside in this state, being twenty-five years of age, and having been seven years a citizen of the United States, to represent them in the congress of the United States.

Mr. S. M. Moore moved to amend said amendment, by striking out in the 9th district the words "Mason and Bracken," and add them to the 10th district.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. S. M. Moore and Anderson, were as follows, viz:

Those who voted in the affirmative, were

William Bailey,	John F. Gaar,	Samuel M. Moore,
Cleaton Bane,	William C. Grier,	Thomas J. Nash,
Joseph H. Barlow,	Grant Green,	Joseph A. Nevitt,
James P. Bates,	Norvin Green,	Micajah Oglesby,
John S. Boyd,	Samuel Hatfield,	John J. Park,
A. H. Bryan,	Charles J. Helm,	Joel W. Sallee,
Isaac Burnett,	Alvin Herndon,	Green Sterett,
John Calvert,	Thomas Hagins,	John J. Thomas,
Charles G. C. Canby,	Garland Hurt,	Lawrence S. Trimble,
Robert M. Carlisle,	John B. Laffoon,	Thornton Triplett,
Francis U. Dodds,	Charles Lee,	Claiborne J. Walton,
James Edelin,	William McMillan,	William C. Webster,
David Elms,	Robert O. Morgan,	Alex. H. Willingham—39.

Those who voted in the negative, were

Mr. Speaker (Robertson,)	John B. Holladay,	Barnett C. Moran,
Granville C. Alfred,	James H. Hundley,	William F. Moore,
William C. Anderson,	William G. Jackson,	Birch Musselman,
Charles M. Briggs,	John G. James,	William T. Samuels,
Joshua F. Bullitt,	Henry S. Johnson,	Elijah G. Seabee,
Curtis F. Burnam,	Alfred M. Jones,	Isaac N. Shepperd,
James L. Caldwell,	John A. Keith,	James C. Sprigg,
Willis S. Chaplin,	John J. Landrum,	Daniel B. Stivers,
A. D. Cosby,	Joseph H. Lewis,	Napoleon B. Stone,
Edwin S. Craig,	Robert G. Lewis,	Joshua H. Thomas,
Ellis Duncan,	Opie J. Lindsay,	William O. Thomson,
Christian Engleman,	Thomas F. Marshall,	Francis Troutman,
Elisha S. Fitch,	Henry D. McHenry,	Drury Tye,
Francis Ford,	George R. McKee,	John S. Williams,
Jacob S. Golladay,	William C. McNary,	James C. Wilmore,



David Griggs,  
John J. Haley,  
Thomas R. Harman,

Strother D. Mitchell,  
Elijah S. Mitchusson,  
Andrew Monroe,

Francis H. Winfrey  
Chas. G. Wintersmith—53.

Mr. Webster then moved to amend said amendment, by striking from the 4th district the word "Garrard," and adding it to the 6th district.

Mr. Bullitt moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The main question was then put—"shall the amendment of Mr. Webster to the amendment of Mr. Anderson be adopted?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McKee and Lee, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Norvin Green,	Birch Musselman,
Granville C. Alfred,	John J. Haley,	Thomas J. Nash,
William Bailey,	Charles J. Helm,	John J. Park,
Cleaton Bane,	Alvin Herndon,	Joel W. Sallee,
Joseph H. Barlow,	Thomas Hagins,	William T. Samuels,
James P. Bates,	John B. Holladay,	Elijah G. Sebree,
John S. Boyd,	William G. Jackson,	Isaac N. Shepperd,
Charles M. Briggs,	Henry S. Johnson,	Green Sterett,
A. H. Bryan,	John A. Keith,	Daniel B. Stivers,
Joshua F. Bullitt,	John J. Landrum,	Napoleon B. Stone,
Curtis F. Burnam,	Joseph H. Lewis,	Joshua H. Thomas,
Charles G. C. Canby,	Robert G. Lewis,	William O. Thomson,
Robert M. Carlisle,	Opie J. Lindsay,	Lawrence S. Trimble,
Willis S. Chaplin,	William McMillan,	Thornton Triplett,
Edwin S. Craig,	William C. McNary,	Francis Troutman
James Edelin,	Strother D. Mitchell,	Drury Tye,
David Elms,	Andrew Monroe,	William C. Webster,
Francis Ford,	Barnett C. Moran,	John S. Williams,
John F. Gaar,	Samuel M. Moore,	Francis H. Winfrey,
William C. Grier,	William F. Moore,	Chas. G. Wintersmith—61.
Grant Green,		

Those who voted in the negative, were

William C. Anderson,	David Griggs,	George R. McKee,
Isaac Burnett,	Samuel Hatfield,	Elijah S. Mitchusson,
James L. Caldwell,	James H. Hundley,	Robert O. Morgan,
John Calvert,	Garland Hurt,	Joseph A. Nevitt,
A. D. Cosby,	John G. James,	Micajah Oglesby,
Francis U. Dodds,	Alfred M. Jones,	James C. Sprigg,
Ellis Duncan,	John B. Laffoon,	John J. Thomas,
Christian Engleman,	Charles Lee,	Claiborne J. Walton,
Elisha S. Fitch,	Thomas F. Marshall,	Alex. H. Willingham,
Jacob S. Golladay,	Henry D. McHenry,	James C. Wilmore—30.

The question was then taken on the adoption of the amendment proposed by Mr. Anderson, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. N. Green and Marshall, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,	John F. Gaar,	Robert O. Morgan,
Cleaton Bane,	William C. Grier,	Samuel M. Moore,
Joseph H. Barlow,	Grant Green,	Thomas J. Nash,
James P. Bates,	Norvin Green,	Joseph A. Nevitt,
John S. Boyd,	Samuel Hatfield,	Micajah Oglesby,
A. H. Bryan,	Charles J. Helm,	Joel W. Sallee,
Isaac Burnett,	Alvin Herndon,	James C. Sprigg,
John Calvert,	Thomas Hagins,	Green Sterett,
Charles G. C. Canby,	Garland Hurt,	John J. Thomas,
Robert M. Carlisle,	John B. Laffoon,	Thornton Triplett,
Francis U. Dodds,	Charles Lee,	Claiborne J. Walton,
James Edelin,	Thomas F. Marshall,	William C. Webster,
David Elms,	William McMillan,	Alex. H. Willingham,
Francis Ford,	Elijah S. Mitchusson,	James C. Wilmore—42.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	John B. Holladay,	Barnett C. Moran,
Granville C. Alfred,	James H. Hundley,	William F. Moore,
William C. Anderson,	William G. Jackson,	Birch Musselman,
Charles M. Briggs,	John G. James,	John J. Park,
Joshua F. Bullitt,	Henry S. Johnson,	William T. Samuels,
Curtis F. Burnam,	Alfred M. Jones,	Elijah G. Seabee,
James L. Caldwell,	John A. Keith,	Isaac N. Shepperd,
Willis S. Chaplin,	John J. Landrum,	Daniel B. Stivers,
A. D. Cosby,	Joseph H. Lewis,	Napoleon B. Stone,
Edwin S. Craig,	Robert G. Lewis,	Joshua H. Thomas,
Ellis Duncan,	Opie J. Lindsay,	William O. Thomson,
Christian Engleman,	Henry D. McHenry,	Francis Troutman,
Elisha S. Fitch,	George R. McKee,	Drury Tye,
Jacob S. Golladay,	William C. McNary,	John S. Williams,
David Griggs,	Strother D. Mitchell,	Francis H. Winfrey,
John J. Haley,	Andrew Monroe,	Chas. G. Wintersmith—49.
Thomas R. Harman,		

The said bill, as amended, reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That this state shall be divided into ten congressional districts, as follows :

The first district shall be composed of the counties of Fulton, Hickman, Ballard, Graves, McCracken, Marshall, Calloway, Trigg, Crittenden, Caldwell, Livingston, Union, and Hopkins.

The second district shall be composed of the counties of Christian, Muhlenburg, Henderson, Daviess, Ohio, Butler, Hancock, Breckinridge, Meade, and Edmonson.

The third district shall be composed of the counties of Todd, Logan, Simpson, Warren, Barren, Monroe, Hart, and Allen.

The fourth district shall be composed of the counties of Cumberland, Clinton, Wayne, Pulaski, Russell, Adair, Green, Casey, Lincoln, Boyle, and Taylor.

The fifth district shall be composed of the counties of Hardin, Nelson, Bullitt, Spencer, Washington, Marion, Mercer, Larue, and Grayson.

The sixth district shall be composed of the counties of Garrard, Madison, Rockcastle, Laurel, Knox, Estill, Owsley, Clay, Perry, Letcher, Harlan, Pike, Floyd, Breathitt, Morgan, and Whitley.

The seventh district shall be composed of the counties of Shelby, Jefferson, Henry, and Oldham.

The eighth district shall be composed of the counties of Nicholas, Bourbon, Fayette, Woodford, Scott, Franklin, Jessamine, and Anderson.

The ninth district shall be composed of the counties of Clarke, Montgomery, Bath, Fleming, Greenup, Carter, Lewis, Lawrence, Mason, Bracken, and Johnson.

The tenth district shall be composed of the counties of Pendleton, Campbell, Kenton, Grant, Boone, Gallatin, Harrison, Owen, Carroll, and Trimble.

§ 2. That on the first Monday in August, 1853, and on the same day of said month every two years thereafter, the qualified voters of the several districts aforesaid, at the places where they vote for representatives in the general assembly, shall vote for some fit person, who shall be an inhabitant of this state, being twenty-five years of age, and having been seven years a citizen of the United States, to represent them in the congress of the United States.

The question was then taken on engrossing and reading said bill a a third time, and it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Tye and Engleman, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	John J. Haley,	Andrew Monroe,
Granville C. Alfred,	Thomas R. Harman,	Barnett C. Moran,
William C. Anderson,	John B. Holladay,	William F. Moore,
Charles M. Briggs,	James H. Hundley,	Birch Musselman,
Joshua F. Bullitt,	William G. Jackson,	William T. Samuels,
Curtis F. Burnam,	John G. James,	Elijah G. Seabee,
James L. Caldwell,	Alfred M. Jones,	Isaac N. Shepperd,
Willis S. Chaplin,	John A. Keith,	Daniel B. Stivers,
A. D. Cosby,	Joseph H. Lewis,	Joshua H. Thomas,
Edwin S. Craig,	Robert G. Lewis,	William O. Thomson,
Ellis Duncan,	Opie J. Lindsay,	Francis Troutman,
Christian Engleman,	Henry D. McHenry,	Drury Tye,
Elisha S. Fitch,	George R. McKee,	John S. Williams,
Jacob S. Golladay,	William C. McNary,	Francis H. Winfrey,
David Griggs,	Strother D. Mitchell,	Chas. G. Wintersmith—45.

Those who voted in the negative, were

William Bailey,	Grant Green,	Thomas J. Nash,
Cleaton Bane,	Norvin Green,	Joseph A. Nevitt,
Joseph H. Barlow,	Samuel Hatfield,	Micajah Oglesby,
James P. Bates,	Charles J. Helm,	John J. Park,
John S. Boyd,	Alvin Herndon,	Joel W. Sallee,



A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Francis U. Dodds,  
James Edelin,  
David Elms,  
Francis Ford,  
John F. Gaar,  
William C. Grier,

Thomas Hagins,  
Garland Hurt,  
Henry S. Johnson,  
John B. Laffoon,  
Charles Lee,  
Thomas F. Marshall,  
William McMillan,  
Elijah S. Mitchusson,  
Robert O. Morgan,  
Samuel M. Moore,

James C. Sprigg,  
Green Sterett,  
Napoleon B. Stone,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
James C. Wilmore—46.

A message was received from the Senate, announcing their concurrence in the 1st, 3d, 4th, 6th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, and 34th amendments proposed by this House, to a bill from the Senate, entitled, an act to adopt the Revised Statutes—and that they had disagreed to the 2d, 7th, 8th, 9th, 32d, 33d, and 35th amendments to said bill.

That they had passed bills from this House, of the following titles, to-wit:

An act to amend the charter of the Louisville and Elizabethtown Turnpike Road Company.

An act to change the mode of working roads in Daviess county.

An act to incorporate the Covington Literary Association, and to amend an act approved December, 1830, incorporating the Madison Library Company.

An act to amend an act incorporating the Bardstown Female Academy.

An act for the benefit of John Riley.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled, an act to take the sense of the people of Owsley county for the purpose of changing the county seat of said county.

An act for the benefit of Henry J. Spradling, of Morgan county.

That they had received official information from the Governor, announcing that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of B. G. Dudley.

An act to incorporate the Independent Fire Company, Washington, No. 1, of Maysville and suburbs.

An act to amend an act, entitled, an act to incorporate the Lexington and Danville Railroad Company, approved March 5, 1850.

An act to establish the Enterprise Tanning and Leather Manufacturing Company of the county of Lewis.

An act for the benefit of William Davis, former Sheriff of Whitley county.

An act to create the offices of Police Judge and Marshal of the town of Rumsey.

An act dispensing with commissions to certain officers of this commonwealth.

An act to change the time of holding the Logan and Campbell county quarterly courts, and the county court of Barren county.

Approved December 27, 1851.

An act to amend an act, entitled, an act to incorporate the Bank Lick Turnpike Road Company.

An act to change the time of holding the Johnson quarterly and county courts.

An act to punish persons for endangering life by placing obstructions on railroads.

An act to amend an act, entitled, an act to enlarge the powers of the trustees of the town of Brandenburg, approved February 18, 1851.

An act to amend an act, entitled, an act to incorporate and establish the town of Fairview, in Todd and Christian counties.

An act to establish the line between the counties of Knox and Clay.

An act concerning the Court of Claims in Shelby county.

An act changing the time of holding the quarterly courts of the County Judge of Henry.

An act to change the time of holding the Perry county and quarterly courts.

An act for the benefit of the Sheriff of Union county.

An act for the benefit of Florence Academy, in Boone county.

An act to authorize the Clerk of the County Court of Owen to index record books A and B in his office.

An act to amend the laws relating to Georgetown.

An act to amend the charter of the Shelby Railroad Company.

An act to regulate the times for holding the courts of Justices of the Peace.

An act for the benefit of John Betts, jailer of Fulton county.

An act in relation to the Springfield, Maxville, and Harrodsburg Turnpike Road Company.

An act declaring the Elk Fork of Sinking and Greasy creeks navigable streams.

An act authorizing the County Court of Russell to levy an additional tax on said county.

An act to incorporate Liberty Lodge, No. 126, of Free and Accepted Masons.

An act to incorporate the Maysville Literary Institute.

Approved January 1, 1852.

On motion of Mr. Helm,

*Ordered*, That the amendments proposed by this House, to a bill from the Senate, entitled, an act to adopt the Revised Statutes, and to which the Senate had disagreed, be referred to the committee on Revised Statutes.

The Speaker laid before the House the response of the President of the Board of Internal Improvement, to the resolution moved by Mr. Helm on Saturday last, which is as follows, viz :

OFFICE BOARD INTERNAL IMPROVEMENT, }  
January 5, 1852. }

HON. GEORGE ROBERTSON,

*Speaker of the House of Representatives:*

In obedience to a resolution of the house of representatives, calling upon the president of the board of internal improvement to report "whether he has sold any stone upon the Licking river belonging to the state, and by what authority said sale was made?" I have the honor to report that the board have authorized the president and directors of the Covington and Lexington railroad company to use the loose undressed stone upon that line of navigation belonging to the state. The company are to pay \$1 per perch, if they use the entire amount owned by the state upon said line; if not, they are to pay \$1 50 per perch for the amount used by them in the construction of said railroad. The authority the board have for thus disposing of the stone, is to be found in the 2d section of an act, entitled, an act for the protection of public property on the Licking river, and for other purposes, approved February 27, 1849. The board had received information from gentlemen living in Covington that the loose stone owned by the state on said line had been taken by individuals, and not accounted for. It was the opinion of the board that the interest of the state demanded the immediate sale of the remaining portion that had not been removed or destroyed.

D. R. HAGGARD, P. B. I. I.

Mr. Jones, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled,

An act supplemental to an act to amend an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850, and for other purposes.

And had found the same truly enrolled.

And resolutions, which originated in this House, of the following titles, viz :

A resolution in relation to the inspection of pork, flour, and tobacco, in New Orleans.



A resolution respecting salutes on the 8th of January and 22d of February.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Jones inform the Senate thereof.

At 6 o'clock, P. M., Mr. Marshall moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Harman and Anderson, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,	Grant Green,	Thomas J. Nash,
Cleaton Bane,	Norvin Green,	Joseph A. Nevitt,
Joseph H. Barlow,	Samuel Hatfield,	Micajah Oglesby,
James P. Bates,	Charles J. Helm,	John J. Park,
John S. Boyd,	Alvin Herndon,	Joel W. Sallee,
A. H. Bryan,	Thomas Hagins,	James C. Sprigg,
Isaac Burnett,	Garland Hurt,	Green Sterett,
John Calvert,	John B. Laffoon,	John J. Thomas,
Robert M. Carlisle,	Charles Lee,	Lawrence S. Trimble,
Francis U. Dodds,	Thomas F. Marshall,	Thornton Triplett,
James Edelin,	William McMillan,	Claiborne J. Walton,
David Elms,	Elijah S. Mitchusson,	William C. Webster,
John F. Gaar,	Robert O. Morgan,	Alex. H. Willingham,
William C. Grier,	Samuel M. Moore,	Francis H. Winfrey—42.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Thomas R. Harman,	Andrew Monroe,
Granville C. Alfred,	John B. Holladay,	Barnett C. Moran,
William C. Anderson,	James H. Hundley,	William F. Moore,
Charles M. Briggs,	William G. Jackson,	Birch Musselman,
Joshua F. Bullitt,	John G. James,	William T. Samuels,
Curtis F. Burnam,	Henry S. Johnson,	Elijah G. Sebrece,
James L. Caldwell,	Alfred M. Jones,	Isaac N. Shepperd,
Willis S. Chaplin,	John A. Keith,	Daniel B. Stivers,
A. D. Cosby,	John J. Landrum,	Napoleon B. Stone,
Edwin S. Craig,	Joseph H. Lewis,	Joshua H. Thomas,
Ellis Duncan,	Robert G. Lewis,	William O. Thomson,
Christian Engleman,	Opie J. Lindsay,	Francis Troutman,
Elisha S. Fitch,	Henry D. McHenry,	Drury Tye,
Francis Ford,	George R. McKee,	John S. Williams,
Jacob S. Golladay,	William C. McNary,	James C. Wilmore,
David Griggs,	Strother D. Mitchell,	Chas. G. Wintersmith—49.
John J. Haley,		

Mr. Webster moved that the House take a recess till 7 o'clock, P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Webster and Marshall, were as follows, viz :

## Those who voted in the affirmative, were

William Bailey,	Francis Ford,	Thomas F. Marshall,
Cleaton Bane,	John F. Gaar,	William McMillan,
Joseph H. Barlow,	William C. Grier,	Elijah S. Mitchusson,
James P. Bates,	Grant Green,	Robert O. Morgan,
John S. Boyd,	Norvin Green,	Samuel M. Moore,
A. H. Bryan,	Samuel Hatfield,	Thomas J. Nash,
Isaac Burnett,	Charles J. Helm,	Joseph A. Nevitt,
James L. Caldwell,	Alvin Herndon,	John J. Park,
John Calvert,	Thomas Hagins,	Joel W. Sallee,
Charles G. C. Canby,	John B. Holladay,	Napoleon B. Stone,
Robert M. Carlisle,	James H. Hundley,	John J. Thomas,
A. D. Cosby,	Garland Hurt,	Lawrence S. Trimble,
Francis U. Dodds,	Henry S. Johnson,	Thornton Triplett,
James Edelin,	John B. Laffoon,	William C. Webster,
David Elms,	Charles Lee,	Alex. H. Willingham—45.

## Those who voted in the negative, were

Mr. Speaker, (Robertson,)	John G. James,	William T. Samuels,
Granville C. Alfred,	Alfred M. Jones,	Elijah G. Seabee,
William C. Anderson,	John A. Keith,	Isaac N. Shepperd,
Charles M. Briggs,	John J. Landrum,	James C. Sprigg,
Joshua F. Bullitt,	Joseph H. Lewis,	Green Sterett,
Curtis F. Burnam,	Robert G. Lewis,	Daniel B. Stivers,
Willis S. Chaplin,	Opie J. Lindsay,	Joshua H. Thomas,
Edwin S. Craig,	Henry D. McHenry,	William O. Thomson,
Ellis Duncan,	George R. McKee,	Francis Troutman,
Christian Engleman,	William C. McNary,	Drury Tye,
Elisha S. Fitch,	Strother D. Mitchell,	Claiborne J. Walton,
Jacob S. Golladay,	Andrew Monroe,	John S. Williams,
David Griggs,	Barnett C. Moran,	James C. Wilmore,
John J. Haley,	William F. Moore,	Francis H. Winfrey,
Thomas R. Harman,	Birch Musselman,	Chas. G. Wintersmith—47.
William G. Jackson,	Micajah Oglesby,	

At a quarter after 6 o'clock, P. M., Mr. Helm moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Keith and Anderson, were as follows, viz :

## Those who voted in the affirmative, were

William Bailey,	Grant Green,	Joseph A. Nevitt,
Cleaton Bane,	Norvin Green,	Micajah Oglesby,
Joseph H. Barlow,	Samuel Hatfield,	John J. Park,
James P. Bates,	Charles J. Helm,	Joel W. Sallee,
John S. Boyd,	Alvin Herndon,	Isaac N. Shepperd,
A. H. Bryan,	Thomas Hagins,	James C. Sprigg,
Isaac Burnett,	Garland Hurt,	Green Sterett,
John Calvert,	John B. Laffoon,	Napoleon B. Stone,
Charles G. C. Canby,	Charles Lee,	John J. Thomas,

Robert M. Carlisle,	Thomas F. Marshall,	Lawrence S. Trimble,
Francis U. Dodds,	William McMillan,	Thornton Triplett,
James Edelin,	Elijah S. Mitchusson,	Claiborne J. Walton,
David Elms,	Robert O. Morgan,	William C. Webster,
John F. Gaar,	Samuel M. Moore,	Alex. H. Willingham,
William C. Grier,	Thomas J. Nash,	Francis H. Winfrey—45.

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	John J. Haley,	Strother D. Mitchell,
Granville C. Alfred,	Thomas R. Harman,	Andrew Monroe,
William C. Anderson,	John B. Holladay,	Barnett C. Moran,
Charles M. Briggs,	James H. Hundley,	William F. Moore,
Joshua F. Bullitt,	William G. Jackson,	Birch Musselman,
Curtis F. Burnam,	John G. James,	William T. Samuels,
James L. Caldwell,	Henry S. Johnson,	Elijah G. Seabee,
Willis S. Chaplin,	Alfred M. Jones,	Daniel B. Stivers,
A. D. Cosby,	John A. Keith,	Joshua H. Thomas,
Edwin S. Craig,	John J. Landrum,	William O. Thomson,
Ellis Duncan,	Joseph H. Lewis,	Francis Troutman,
Christian Engleman,	Robert G. Lewis,	Drury Tye,
Elisha S. Fitch,	Opie J. Lindsay,	John S. Williams,
Francis Ford,	Henry D. McHenry,	James C. Wilmore,
Jacob S. Golladay,	George R. McKee,	Chas. G. Wintersmith—47.
David Griggs,	William C. McNary,	

Mr. Trimble moved that the House take a recess until 7 o'clock, P. M.

The Speaker decided that said motion was out of order, inasmuch as the House had a short time previously decided they would not take a recess.

From which decision of the chair Mr. Helm took an appeal.

Mr. Anderson moved to lay said appeal upon the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sprigg and Musselman, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	John B. Holladay,	Barnett C. Moran,
William C. Anderson,	James H. Hundley,	William F. Moore,
Charles M. Briggs,	William G. Jackson,	Birch Musselman,
Joshua F. Bullitt,	John G. James,	William T. Samuels,
Curtis F. Burnam,	Henry S. Johnson,	Elijah G. Seabee,
James L. Caldwell,	Alfred M. Jones,	Isaac N. Shepperd,
Willis S. Chaplin,	John A. Keith,	Daniel B. Stivers,
A. D. Cosby,	Benjamin H. Kerrick,	Joshua H. Thomas,
Edwin S. Craig,	John J. Landrum,	William O. Thomson,
Ellis Duncan,	Joseph H. Lewis,	Thornton Triplett,
Christian Engleman,	Robert G. Lewis,	Francis Troutman,
Elisha S. Fitch,	Opie J. Lindsay,	Drury Tye,
Francis Ford,	George R. McKee,	John S. Williams,
Jacob S. Golladay,	William C. McNary,	James C. Wilmore,



David Griggs,  
John J. Haley,  
Thomas R. Harman,

Strother D. Mitchell,  
Andrew Monroe,

Francis H. Winfrey,  
Chas. G. Wintersmith—49.

Those who voted in the negative, were

William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Francis U. Dodds,  
James Edelin,  
David Elms,  
John F. Gaar,

William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
Thomas F. Marshall,  
Henry D. McHenry,  
William McMillan,  
Elijah S. Mitchusson,

Robert O. Morgan,  
Samuel M. Moore,  
Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
James C. Sprigg,  
Green Sterett,  
John J. Thomas,  
Lawrence S. Trimble,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—42.

At half past 6 o'clock, P. M., Mr. Boyd moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Keith and Bryan, were as follows, viz:

Those who voted in the affirmative, were

William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Francis U. Dodds,  
James Edelin,  
David Elms,  
John F. Gaar,

William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
Thomas F. Marshall,  
William McMillan,  
Elijah S. Mitchusson,  
Robert O. Morgan,

Samuel M. Moore,  
Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
John J. Park,  
James C. Sprigg,  
Green Sterett,  
Napoleon B. Stone,  
John J. Thomas,  
Lawrence S. Trimble,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham—41.

Those who voted in the negative, were

Mr. Speaker, (Robertson,) Thomas R. Harman,  
Granville C. Alfred, John B. Holladay,  
William C. Anderson, James H. Hundley,  
Charles M. Briggs, William G. Jackson,  
Joshua F. Bullitt, John G. James,  
Curtis F. Burnam, Henry S. Johnson,  
James L. Caldwell, Alfred M. Jones,  
Willis S. Chaplin, John A. Keith,  
A. D. Cosby, Benjamin H. Kerrick,

Andrew Monroe,  
Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
William T. Samuels,  
Elijah G. Sebree,  
Isaac N. Shepperd,  
Daniel B. Stivers,  
Joshua H. Thomas,

Edwin S. Craig,  
Ellis Duncan,  
Christian Engleman,  
Elisha S. Fitch,  
Francis Ford,  
Jacob S. Golladay,  
David Griggs,  
John J. Haley,

John J. Landrum,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
Henry D. McHenry,  
George R. McKee,  
William C. McNary,  
Strother D. Mitchell,

William O. Thomson,  
Francis Troutman  
Drury Tye,  
John S. Williams,  
James C. Wilmore,  
Francis H. Winfrey,  
Chas. G. Wintersmith—50.

Mr. Johnson moved a reconsideration of the vote rejecting the bill to divide the state into congressional districts.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sprigg and Anderson, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker (Robertson,) Thomas R. Harman,  
Granville C. Alfred, John B. Holladay,  
William C. Anderson, James H. Hundley,  
Charles M. Briggs, William G. Jackson,  
Joshua F. Bullitt, John G. James,  
Curtis F. Burnam, Henry S. Johnson,  
James L. Caldwell, Alfred M. Jones,  
Willis S. Chaplin, John A. Keith,  
A. D. Cosby, Benjamin H. Kerrick,  
Edwin S. Craig, John J. Landrum,  
Ellis Duncan, Joseph H. Lewis,  
Christian Engleman, Robert G. Lewis,  
Elisha S. Fitch, Opie J. Lindsay,  
Jacob S. Golladay, Henry D. McHenry,  
David Griggs, George R. McKee,  
John J. Haley, William C. McNary,

Strother D. Mitchell,  
Andrew Monroe,  
Barnett C. Moran,  
William F. Moore,  
Birch Musselman,  
William T. Samuels,  
Elijah G. Sebree,  
Isaac N. Shepperd,  
Daniel B. Stivers,  
Joshua H. Thomas,  
William O. Thomson,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
Francis H. Winfrey,  
Chas. G. Wintersmith—48.

Those who voted in the negative, were

William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Francis U. Dodds,  
James Edelin,  
David Elms,  
Francis Ford,  
John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
Thomas F. Marshall,  
William McMillan,  
Elijah S. Mitchusson,  
Robert O. Morgan,  
Samuel M. Moore,

Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
James C. Sprigg,  
Green Sterett,  
Napoleon B. Stone,  
John J. Thomas,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
James C. Wilmore—45.

Mr. G. Green moved an adjournment.

The Speaker decided that the motion was out of order, because the previous question had been moved and sustained before said bill had been theretofore rejected.

From which decision of the chair Mr. G. Green took an appeal.

Mr. Briggs moved to lay said appeal upon the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burnett and Webster, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	Thomas R. Harman,	Strother D. Mitchell,
William C. Anderson,	John B. Holladay,	Andrew Monroe,
Charles M. Briggs,	James H. Hundley,	Barnett C. Moran,
Joshua F. Bullitt,	William G. Jackson,	William F. Moore,
Curtis F. Burnam,	John G. James,	Birch Musselman,
James L. Caldwell,	Henry S. Johnson,	William T. Samuels,
Willis S. Chaplin,	Alfred M. Jones,	Elijah G. Sebre,
A. D. Cosby,	John A. Keith,	Daniel B. Stivers,
Edwin S. Craig,	Benjamin H. Kerrick,	Joshua H. Thomas,
Ellis Duncan,	Joseph H. Lewis,	William O. Thomson,
Christian Engleman,	Robert G. Lewis,	Francis Troutman,
Elisha S. Fitch,	Opie J. Lindsay,	Drury Tye,
Jacob S. Golladay,	Henry D. McHenry,	John S. Williams,
David Griggs,	George R. McKee,	James C. Wilmore,
John J. Haley,	William C. McNary,	Francis H. Winfrey—45.

Those who voted in the negative, were

William Bailey,	William C. Grier,	Joseph A. Nevitt,
Cleaton Bane,	Grant Green,	Micajah Oglesby,
Joseph H. Barlow,	Norvin Green,	John J. Park,
James P. Bates,	Samuel Hatfield,	Joel W. Sallee,
John S. Boyd,	Charles J. Helm,	Isaac N. Shepperd,
A. H. Bryan,	Alvin Herndon,	James C. Sprigg,
Isaac Burnett,	Thomas Hagins,	Green Sterett,
John Calvert,	Garland Hurt,	Napoleon B. Stone,
Charles G. C. Canby,	John B. Laffoon,	John J. Thomas,
Robert M. Carlisle,	Charles Lee,	Lawrence S. Trimble,
Francis U. Dodds,	Thomas F. Marshall,	Thornton Triplett,
James Edelin,	William McMillan,	Claiborne J. Walton,
David Elms,	Robert O. Morgan,	William C. Webster,
Francis Ford,	Samuel M. Moore,	Alex. H. Willingham—44.
John F. Gaar,	Thomas J. Nash,	

Mr. Helm moved that the House now proceed to the consideration of the business of the evening session, in accordance with the resolution moved by Mr. Anderson, on Saturday last.

The Speaker decided said motion out of order, inasmuch as the House had not entered upon the evening session.



From which decision of the chair Mr. Burnett took an appeal.

Mr. Briggs moved to lay said appeal on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Elms, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	John B. Holladay,	Andrew Monroe,
William C. Anderson,	James H. Hundley,	Barnett C. Moran,
Charles M. Briggs,	William G. Jackson,	William F. Moore,
Joshua F. Bullitt,	John G. James,	Birch Musselman,
Curtis F. Burnam,	Henry S. Johnson,	William T. Samuels.
James L. Caldwell,	Alfred M. Jones,	Elijah G. Seebree,
Willis S. Chaplin,	John A. Keith,	Isaac N. Shepperd,
A. D. Cosby,	Benjamin H. Kerrick,	Daniel B. Stivers,
Edwin S. Craig,	John J. Landrum,	Joshua H. Thomas,
Ellis Duncan,	Joseph H. Lewis,	William O. Thomson,
Christian Engleman,	Robert G. Lewis,	Francis Troutman,
Elisha S. Fitch,	Opie J. Lindsay,	Drury Tye,
Francis Ford,	Henry D. McHenry,	John S. Williams,
Jacob S. Golladay,	George R. McKee,	James C. Wilmore,
David Griggs,	William C. McNary,	Francis H. Winfrey,
John J. Haley,	Strother D. Mitchell,	Chas. G. Wintersmith—50.
Thomas R. Harman,		

Those who voted in the negative, were

William Bailey,	John F. Gaar,	Samuel M. Moore,
Cleaton Bane,	William C. Grier,	Thomas J. Nash,
Joseph H. Barlow,	Grant Green,	Joseph A. Nevitt,
James P. Bates,	Norvin Green,	Micajah Oglesby,
John S. Boyd,	Samuel Hatfield,	John J. Park,
A. H. Bryan,	Charles J. Helm,	Joel W. Sallee,
Isaac Burnett,	Alvin Herndon,	James C. Sprigg,
John Calvert,	Thomas Hagins,	Green Sterett,
Charles G. C. Canby,	Garland Hurt,	Napoleon B. Stone,
Robert M. Carlisle,	John B. Laffoon,	Lawrence S. Trimble,
Jonathan Davis,	Charles Lee,	Claiborne J. Walton,
Francis U. Dodds,	William McMillan,	William C. Webster,
James Edelin,	Robert O. Morgan,	Alex. H. Willingham—40.
David Elms,		

The question was then taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alfred and Anderson, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker (Robertson)	Thomas R. Harman,	Andrew Monroe,
Granville C. Alfred,	John B. Holladay,	Barnett C. Moran,
William C. Anderson,	James H. Hundley,	William F. Moore,

Charles M. Briggs,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
James L. Caldwell,  
Willis S. Chaplin,  
A. D. Cosby,  
Edwin S. Craig,  
Ellis Duncan,  
Christian Engleman,  
Elisha S. Fitch,  
Jacob S. Golladay,  
David Griggs,  
John J. Haley,

William G. Jackson,  
John G. James,  
Henry S. Johnson,  
Alfred M. Jones,  
John A. Keith,  
Benjamin H. Kerrick,  
Joseph H. Lewis,  
Robert G. Lewis,  
Opie J. Lindsay,  
Henry D. McHenry,  
George R. McKee,  
William C. McNary,  
Strother D. Mitchell,

Birch Musselman,  
William T. Samuels,  
Elijah G. Seabee,  
Isaac N. Shepperd,  
Daniel B. Stivers,  
Joshua H. Thomas,  
William O. Thomson,  
Francis Troutman,  
Drury Tye,  
John S. Williams,  
Francis H. Winfrey,  
C. G. Wintersmith—47.

Those who voted in the negative, were

William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
John S. Boyd,  
A. H. Bryan,  
Isaac Burnett,  
John Calvert,  
Chas. G. C. Canby,  
Robert M. Carlisle,  
Jonathan Davis,  
Francis U. Dodds,  
James Edelin,  
David Elms,  
Francis Ford,

John F. Gaar,  
William C. Grier,  
Grant Green,  
Norvin Green,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Garland Hurt,  
John B. Laffoon,  
Charles Lee,  
Thomas F. Marshall,  
William McMillan,  
Elijah S. Mitchusson,  
Robert O. Morgan,

Samuel M. Moore,  
Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
James C. Sprigg,  
Green Sterett,  
Napoleon B. Stone,  
Lawrence S. Trimble,  
Thornton Triplett,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
James C. Wilmore—45.

*Ordered*, That said bill have its third reading on to-morrow, at ten minutes before 10 o'clock, A. M.

And then the House adjourned.

## TUESDAY, JANUARY 6, 1852.

Mr. Burnam, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act better to define the boundary of the city of Louisville, reported the same without amendment.

The said bill was then amended.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be amended to read as follows: "an act explanatory of an act approved March 24, 1851, entitled, an act to charter the city of Louisville."

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act to authorize appeals from County Court Judges.

That they had concurred in the amendment of this House, to the amendment of the Senate, to a bill from this House, entitled, an act for the benefit of the Louisville and Covington Railroad Company.

That they had passed bills from this House, of the following titles, to-wit:

An act to amend an act, entitled, an act to extend the limits of the town of Hopkinsville, approved February 4, 1846.

An act to authorize the clerks of the Nelson and Washington County Courts to cross index certain records.

An act to amend the charter of the Winchester and Paris Turnpike Road Company.

An act to amend an act, entitled, an act prescribing the means and mode of opening and working roads in Boone county.

An act to charter the Hamilton Turnpike Road Company.

An act fixing the time of holding the Court of Claims in Fayette county, and certain terms of the Jessamine County Court.

An act to incorporate the Peoples' Turnpike Road Company.

An act for the benefit of the town of Danville.

An act to change the boundary of Magistrates' and Constable's district No. 4, in Breckinridge county.

An act to amend an act, entitled, an act to charter the city of Louisville, approved March 24, 1851, and for other purposes.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act giving additional powers to the trustees of Richmond.

An act to legalize the surveys in Knox and Clay counties.

An act changing the time of holding the quarterly terms of the County Judge of Wayne.

An act to incorporate Devotion Lodge, No. 160, of Free and Accepted Masons.

The Speaker laid before the House the report of the Commissioners of the Sinking Fund.

[For Report—see *Legislative Documents*.]

*Ordered*, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.



An engrossed bill, entitled, an act to divide the state into congressional districts, was read a third time.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Webster and Bryan, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Thomas R. Harman,	Andrew Monroe,
Granville C. Alfred,	John B. Holladay,	Barnett C. Moran,
William C. Anderson,	James H. Hundley,	William F. Moore,
Charles M. Briggs,	William G. Jackson,	Birch Musselman,
Joshua F. Bullitt,	John G. James,	William T. Samuels,
Curtis F. Burnam,	Henry S. Johnson,	Elijah G. Seabee,
James L. Caldwell,	Alfred M. Jones,	Isaac N. Shepperd,
Willis S. Chaplin,	John A. Keith,	Daniel B. Stivers,
A. D. Cosby,	Benjamin H. Kerrick,	Joshua H. Thomas,
Edwin S. Craig,	Joseph H. Lewis,	William O. Thomson,
Ellis Duncan,	Robert G. Lewis,	Francis Troutman,
Christian Engleman,	Opie J. Lindsay,	Drury Tye,
Elisha S. Fitch,	Henry D. McHenry,	John S. Williams,
Jacob S. Golladay,	George R. McKee,	Francis H. Winfrey,
David Griggs,	William C. McNary,	Chas. G. Wintersmith—47.
John J. Haley,	Strother D. Mitchell,	

Those who voted in the negative, were

William Bailey,	John F. Gaar,	Thomas J. Nash,
Cleaton Bane,	William C. Grier,	Joseph A. Nevitt,
Joseph H. Barlow,	Grant Green,	Micajah Oglesby,
James P. Bates,	Norvin Green,	John J. Park,
John S. Boyd,	Samuel Hatfield,	Joel W. Sallee,
A. H. Bryan,	Charles J. Helm,	James C. Sprigg,
Isaac Burnett,	Alvin Herndon,	Green Sterett,
John Calvert,	Thomas Hagins,	Napoleon B. Stone,
Charles G. C. Canby,	Garland Hurt,	John J. Thomas,
Robert M. Carlisle,	John B. Laffoon,	Lawrence S. Trimble,
Jonathan Davis,	Charles Lee,	Thornton Triplett,
Francis U. Dodds,	Thomas F. Marshall,	Claiborne J. Walton,
James Edelin,	William McMillan,	William C. Webster,
Price Edrington,	Elijah S. Mitchusson,	Alex. H. Willingham,
David Elms,	Robert O. Morgan,	James C. Wilmore—47.
Francis Ford,	Samuel M. Moore,	

The committee on the Judiciary to whom was referred a bill to create the office of Police Judge and Marshal in the town of Greenville, in Muhlenburg county, reported the same without amendment.

*Ordered,* That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved,* That said bill do pass, and that the title thereof be as aforesaid.

The House, according to order, took up the resolution for a final adjournment of the General Assembly, and the amendment proposed there-to by the Senate.

Mr. N. Green moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKee and Sterett, were as follows, viz :

Those who voted in the affirmative, were

William C. Anderson,	Francis Ford,	Robert O. Morgan,
William Bailey,	John F. Gaar,	Samuel M. Moore,
Cleaton Bane,	Jacob S. Golladay,	Thomas J. Nash,
Joseph H. Barlow,	William C. Grier,	Joseph A. Nevitt,
James P. Bates,	Grant Green,	Micajah Oglesby,
John S. Boyd,	Norvin Green,	John J. Park,
A. H. Bryan,	Samuel Hatfield,	Joel W. Sallee,
Isaac Burnett,	Charles J. Helm,	Isaac N. Shepperd,
John Calvert,	Thomas Hagins,	Green Sterett,
Charles G. C. Canby,	Garland Hurt,	Napoleon B. Stone,
Robert M. Carlisle,	John B. Laffoon,	John J. Thomas,
Jonathan Davis,	Charles Lee,	Lawrence S. Trimble,
Francis U. Dodds,	Henry D. McHenry,	Thornton Triplett,
James Edelin,	William McMillan,	Alex. H. Willingham,
Price Edrington,	Elijah S. Mitchusson,	Francis H. Winfrey—46.
David Elms,		

Those who voted in the negative, were

Mr. Speaker (Robertson),	William G. Jackson,	Barnett C. Moran,
Granville C. Alfred,	John G. James,	William F. Moore,
Charles M. Briggs,	Henry S. Johnson,	Birch Musselman,
Joshua F. Bullitt,	Alfred M. Jones,	William T. Samuels,
Curtis F. Burnam,	John A. Keith,	Elijah G. Sebree,
James L. Caldwell,	Benjamin H. Kerrick,	Daniel B. Stivers,
Willis S. Chaplin,	John J. Landrum,	Joshua H. Thomas,
A. D. Cosby,	Joseph H. Lewis,	William O. Thomson,
Edwin S. Craig,	Robert G. Lewis,	Francis Troutman,
Ellis Duncan,	Opie J. Lindsay,	Drury Tye,
Christian Engleman,	Thomas F. Marshall,	Claiborne J. Walton,
Elisha S. Fitch,	George R. McKee,	William C. Webster,
David Griggs,	William C. McNary,	John S. Williams,
John J. Haley,	Strother D. Mitchell,	James C. Wilmore,
Thomas R. Harman,	Andrew Monroe,	Chas. G. Wintersmith—46.
James H. Hundley,		

Mr. McKee moved to amend the amendment of the Senate, by striking out the word "seventh," and inserting in lieu thereof the word "sixteenth."

Mr. Burnett called for a division of the question.

The question was first taken on striking out the word "seventh," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sebree and Golladay, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Thomas R. Harman,	George R. McKee,
Granville C. Alfred,	Charles J. Helm,	Andrew Monroe,
James P. Bates,	Alvin Herndon,	Barnett C. Moran,
A. H. Bryan,	Thomas Hagins,	Micajah Oglesby,
Joshua F. Bullitt,	James H. Hundley,	John J. Park,
Curtis F. Burnam,	Garland Hurt,	Joel W. Sallee,
John Calvert,	William G. Jackson,	James C. Sprigg,
Charles G. C. Canby,	John G. James,	Daniel B. Stivers,
Willis S. Chaplin,	Henry S. Johnson,	Francis Troutman,
Christian Engleman,	Alfred M. Jones,	Drury Tye,
Elisha S. Fitch,	John A. Keith,	Claiborne J. Walton,
David Griggs,	John J. Landrum,	William C. Webster,
Grant Green,	Joseph H. Lewis,	James C. Wilmore,
Norvin Green,	Thomas F. Marshall,	Francis H. Winfrey,
John J. Haley,	Henry D. McHenry,	Chas. G. Wintersmith—45.

Those who voted in the negative, were

William C. Anderson,	Francis Ford,	Birch Musselman,
William Bailey,	John F. Gaar,	Thomas J. Nash,
Cleaton Bane,	Jacob S. Golladay,	Joseph A. Nevitt,
Joseph H. Barlow,	William C. Grier,	William T. Samuels,
John S. Boyd,	Samuel Hatfield,	Elijah G. Sebree,
Charles M. Briggs,	John B. Holladay,	Isaac N. Shepperd,
Isaac Burnett,	Benjamin H. Kerrick,	Green Sterett,
James L. Caldwell,	John B. Laffoon,	Napoleon B. Stone,
Robert M. Carlisle,	Charles Lee,	John J. Thomas,
A. D. Cosby,	Robert G. Lewis,	Joshua H. Thomas,
Jonathan Davis,	Opie J. Lindsay,	William O. Thomson,
Francis U. Dodds,	William McMillan,	Lawrence S. Trimble,
James Edelin,	William C. McNary,	Thornton Triplett,
Price Edrington,	Elijah S. Mitchusson,	John S. Williams,
David Elms,	Robert O. Morgan,	Alex. H. Willingham—45.

Mr. N. Green moved to postpone the further consideration of said resolution and amendment until to-morrow, at ten minutes before 10 o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mitchusson and Canby, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Norvin Green,	Andrew Monroe,
Granville C. Alfred,	John J. Haley,	Barnett C. Moran,
Joseph H. Barlow,	Samuel Hatfield,	Samuel M. Moore,
James P. Bates,	Charles J. Helm,	Thomas J. Nash,
A. H. Bryan,	Alvin Herndon,	Micajah Oglesby,



Curtis F. Burnam,	Thomas Hagins,	John J. Park,
John Calvert,	James H. Hundley,	Joel W. Sallee,
Charles G. C. Canby,	Garland Hurt,	James C. Sprigg,
Robert M. Carlisle,	John G. James,	Daniel B. Stivers,
Willis S. Chaplin,	John A. Keith,	Francis Troutman,
Ellis Duncan,	John J. Landrum,	Drury Tye,
Christian Engleman,	Thomas F. Marshall,	Claiborne J. Walton,
Elisha S. Fitch,	Henry D. McHenry,	William C. Webster,
William C. Grier,	George R. McKee,	Francis H. Winfrey,
David Griggs,	Strother D. Mitchell,	Chas. G. Wintersmith—46.
Grant Green,		

Those who voted in the negative, were

William C. Anderson,	Thomas R. Harman,	Joseph A. Nevitt,
William Bailey,	John B. Holladay,	William T. Samuels,
Cleaton Bane,	William G. Jackson,	Elijah G. Sebree,
Charles M. Briggs,	Henry S. Johnson,	Isaac N. Shepperd,
Joshua F. Bullitt,	Benjamin H. Kerrick,	Green Sterett,
Isaac Burnett,	John B. Laffoon,	Napoleon B. Stone,
A. D. Cosby,	Charles Lee,	John J. Thomas,
Edwin S. Craig,	Joseph H. Lewis,	Joshua H. Thomas,
Jonathan Davis,	Robert G. Lewis,	William O. Thomson,
Francis U. Dodds,	William McMillan,	Lawrence S. Trimble,
James Edelin,	William C. McNary,	Thornton Triplett,
Price Edrington,	Elijah S. Mitchusson,	John S. Williams,
David Elms,	Robert O. Morgan,	Alex. H. Willingham,
Francis Ford,	William F. Moore,	James C. Wilmore—43.
Jacob S. Golladay,		

Mr. Wintersmith, from the committee on Revised Statutes, to whom was referred the amendments proposed by this House to said bill, and to which the Senate had disagreed, reported the same.

*Resolved*, That this House recede from the 5th, 8th, 9th, and 32d amendments to said bill, and insist on the 2d, 7th, 33d, and 35th amendments.

Mr. McKee, from the committee on the Judiciary, to whom was referred bills of the following titles, viz:

An act to incorporate the Union Agricultural and Mechanical Association.

An act to authorize the appointment of persons to serve process in the justices' courts of the city of Louisville.

An act to incorporate the town of Sharpsburg.

An act to authorize the election of a Police Judge, Marshal, and a Tax Commissioner in the town of Columbus.

An act to amend the charter of the city of Augusta.

An act to increase the powers of the Marshal of New Liberty.

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

*Resolved*, That the same do pass, and that the titles thereof be as aforesaid.

Mr. McKee, from the same committee, to whom was referred a bill from the Senate, entitled, an act to allow Justices of the Peace and others to take depositions, reported the same without amendment.

*Ordered*, That said bill be read a third time to-morrow, at 10 o'clock, A. M.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz :

An act to incorporate the Paducah Farmers Warehouse Company.

An act to incorporate the Licking River Navigation Company.

With amendments to the last named bill.

That they had passed a bill, entitled,

An act to provide for the registration of births, deaths, and marriages, in Kentucky.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz :

An act to amend an act, entitled, an act to amend the revenue laws, approved February 10, 1845.

An act to incorporate the Licking River Navigation Company.

An act to amend an act, entitled, an act to charter the city of Louisville, approved March 24, 1851, and for other purposes.

Were taken up, twice read, and concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on the Judiciary—1. A bill for the benefit of the infant heirs of Elisha M. Ford.

By same—2. A bill to incorporate Adams' Fork Lodge, No. 179.

By same—3. A bill to incorporate Compass Lodge, No. 223, of Free and Accepted Masons.

By same—4. A bill in relation to the blind children in Kentucky.

By same—5. A bill to amend the charter of the Nicholasville and Jessamine Turnpike Company.

By the committee on Ways and Means—6. A bill for the benefit of the Sheriffs of Henry, Owen, Knox, Perry, and Wayne counties.

By Mr. Herndon—7. A bill for the benefit of the Sheriff of Anderson county.

By the committee on Propositions and Grievances—8. A bill for the benefit of the 6th road district in Kenton county.

By Mr. S. M. Moore—9. A bill for the benefit of the Taylor's Mill Turnpike Road Company.

By Mr. McKee—10. A bill concerning the Kentucky River Navigation.

By Mr. Haley—11. A bill to create the offices of Police Judge and Marshal of the town of Mount Vernon.

By same—12. A bill to change the lines of Justices' district No. 1, in Laurel county.

By Mr. W. F. Moore—13. A bill declaring Wolf creek navigable.

By Mr. Hundley—14. A bill changing the county and quarterly courts of Perry and Letcher counties.

By same—15. A bill for the benefit of Ezekiel Brashears, late clerk of Letcher county.

By same—16. A bill for the benefit of James Bevins.

By the committee on Propositions and Grievances—17. A bill creating a new district in the county of Pike.

By the committee on the Judiciary—18. A bill to allow the guardians of the Louisville City Alms House to apprentice certain poor children.

By Mr. Nash—19. A bill fixing the rates of toll on Muldrow's Hill, and to provide for collecting the same.

By Mr. Harman—20. A bill to repeal an act, entitled, an act to empower the trustees of Williamsburg to sell a part of a street in said town.

By the committee on Internal Improvement—21. A bill concerning the road and bridge fund of Whitley county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to allow a Police Judge and Town Marshal to the town of Cornishville, in Mercer county, reported the same with an amendment, which was concurred in.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the same committee, to whom was referred a bill from the Senate, entitled, an act declaring the Somerset Gazette an authorized newspaper, reported the same with amendments, which were concurred in.

*Ordered*, That said bill be read a third time, as amended.



The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be amended to read, "an act declaring certain newspapers authorized to publish legal advertisements."

The bill from the Senate, entitled, an act for the appropriation of money, was read the second time.

Mr. N. Green moved to amend said bill, by adding the following, viz:

That the sum of two hundred dollars, in addition to his present salary per annum, be allowed the President of the Board of Internal Improvement, to enable him to employ a secretary to do the business of the board.

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Golladay and Elms, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Roberts on,)	Norvin Green,	William C. McNary,
Granville C. Alfred,	John J. Haley,	Strother D. Mitchell,
William C. Anderson,	Samuel Hatfield,	Elijah S. Mitchusson,
William Bailey,	Alvin Herndon,	Andrew Monroe,
Joseph H. Barlow,	James H. Hundley,	Barnett C. Moran,
Joshua F. Bullitt,	Garland Hurt,	Robert O. Morgan,
Curtis F. Burnam,	William G. Jackson,	William F. Moore,
Isaac Burnett,	John G. James,	Thomas J. Nash,
James L. Caldwell,	Henry S. Johnson,	Joseph A. Nevitt,
John Calvert,	Alfred M. Jones,	John J. Park,
Willis S. Chaplin,	John A. Keith,	Joel W. Sallee,
Edwin S. Craig,	Benjamin H. Kerrick,	Daniel B. Stivers,
Jonathan Davis,	John B. Laffoon,	Napoleon B. Stone,
Ellis Duncan,	John J. Landrum,	John J. Thomas,
James Edelin,	Charles Lee,	Claiborne J. Walton,
David Elms,	Joseph H. Lewis,	William C. Webster,
Christian Engleman,	Robert G. Lewis,	John S. Williams,
John F. Gaar,	Henry D. McHenry,	James C. Wilmore,
David Griggs,	George R. McKee,	Francis H. Winfrey—57.
Grant Green,		

Those who voted in the negative, were

John S. Boyd,	Thomas Hagins,	Isaac N. Shepperd,
Robert M. Carlisle,	Benjamin F. Hume,	James C. Sprigg,
Francis U. Dodds,	William McMillan,	Green Sterett,
Jacob S. Golladay,	Samuel M. Moore,	William O. Thomson,
Charles J. Helm,	Micajah Oglesby,	Alex. H. Willingham—15.

Mr. W. F. Moore moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The main question was then put—"shall said bill be read a third time?" and it was decided in the affirmative.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	John J. Haley,	Robert O. Morgan,
William C. Anderson,	Charles J. Helm,	Samuel M. Moore,
John S. Boyd,	Alvin Herndon,	William F. Moore,
Charles M. Briggs,	Benjamin F. Hume,	John J. Park,
A. H. Bryan,	Garland Hurt,	William T. Samuels,
Joshua F. Bullitt,	William G. Jackson,	Isaac N. Shepperd,
Curtis F. Burnam,	Henry S. Johnson,	James C. Sprigg,
Isaac Burnett,	Alfred M. Jones,	Daniel B. Stivers,
James L. Caldwell,	John A. Keith,	John J. Thomas,
John Calvert,	Benjamin H. Kerrick,	Joshua H. Thomas,
Charles G. C. Canby,	John J. Landrum,	William O. Thomson,
Robert M. Carlisle,	Joseph H. Lewis,	Lawrence S. Trimble,
Willis S. Chaplin,	Robert G. Lewis,	Thornton Triplett,
Edwin S. Craig,	Henry D. McHenry,	Francis Troutman,
Christian Engleman,	George R. McKee,	Claiborne J. Walton,
Elisha S. Fitch,	William McMillan,	William C. Webster,
John F. Gaar,	William C. McNary,	John S. Williams,
David Griggs,	Strother D. Mitchell,	James C. Wilmore,
Grant Green,	Andrew Monroe,	Francis H. Winfrey,
Norvin Green,	Barnett C. Moran,	Chas. G. Wintersmith—60.

Those who voted in the negative, were

William Bailey,	Thomas R. Harman,	Joseph A. Nevitt,
Joseph H. Barlow,	Samuel Hatfield,	Micajah Oglesby,
James P. Bates,	Thomas Hagins,	Joel W. Sallee,
Jonathan Davis,	James H. Hundley,	Elijah G. Sebree,
Francis U. Dodds,	John G. James,	Green Sterett,
James Edelin,	John B. Laffoon,	Napoleon B. Stone,
David Elms,	Charles Lee,	Drury Tye,
Jacob S. Golladay,	Elijah S. Mitchusson,	Alex. H. Willingham—26.
William C. Grier,	Thomas J. Nash,	

*Resolved*, That the title thereof be as aforesaid.

Mr. Troutman, from the committee on Banks, reported a bill to incorporate the Union Bank of Kentucky, at Milton, which was read the first time, as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there shall be, and is hereby established a bank, by the name of "the Union Bank of Kentucky," with a capital of four hundred thousand dollars, to be divided into shares of one hundred dollars each, and

to be subscribed and paid for by individuals, companies, and corporations, in the manner hereinafter specified; which subscribers and stockholders, their successors and assigns, are hereby created a body politic and corporate, by the name and style of "the Union Bank of Kentucky," and shall so continue a body politic and corporate until the first day of May, 1880; and, by that name, under the restrictions hereinafter named, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts or places, in all matters whatsoever, as natural persons, with full power to acquire, hold, possess, use, occupy, and enjoy, and the same to sell, convey, and dispose of, all such real estate, goods, effects, and chattels, as shall be convenient for the transaction of its business, or which may be conveyed to said bank, as surety for any debt, or purchased in satisfaction of any judgment or decree in favor of the bank, or in the purchase of any property on which said bank may have a lien; and said bank may have and use a common seal, change, alter, and renew the same at pleasure; and it may ordain and put in execution such by-laws, rules, and regulations for the good government of said bank, and the prudent and efficient management of its affairs, as may be thought most proper: *Provided*, that they be not contrary to the constitution and laws of this state or the United States.

§ 2. The said bank shall have and keep its office of discount and deposit in the town of Milton, Trimble county. The business shall be to loan money, discount promissory notes and bills, and deal in exchange; and it may issue bills and bank notes, payable to bearer on demand, at its office of discount and deposit, but not of less denomination than one dollar; and it shall not issue any notes, bills, checks, or orders, payable to bearer, other than such as are made payable on demand. The promissory notes made payable to any person or persons, and payable and negotiable at the office of discount and deposit of said bank, or at any other bank, and indorsed to and discounted by said bank, shall be and they are hereby put on the same footing as foreign bills of exchange, and remedy may be had, jointly or severally, against the drawer and indorsers, and with like effect, except as to damages, and except that in a regular course of administration they shall have no other or greater dignity or priority of payment than other notes; and the said bank shall not, directly or indirectly, deal or trade in any thing except in loaning money and exchange, and in gold or silver coin and bullion, or in the sale of goods, chattels, rights, credits, really and truly pledged for money lent, and not redeemed in time, or goods which shall be the proceeds of its lands.

§ 3. The bank notes to be issued by said bank shall be signed by the president of the bank, and countersigned by the cashier thereof; and said bank shall be restrained from issuing checks or orders payable to any person or order, or to any person or bearer, with the intent that the said checks or orders shall circulate as bank notes.

§ 4. Said bank shall not, at any time, owe, whether by bond, bill, note, or other contract, an amount exceeding twice the amount of the capital stock actually paid in, exclusive of sums due on deposits; and, in cases of excess, the president and directors, under whose administration it shall have taken place, shall be liable for any or all of the debts of said



bank, in their individual capacities, by a joint or several actions or modes of proceedings usual in the courts of this commonwealth against them, or any of them, their heirs, executors, or administrators, in any court having jurisdiction thereof, by any creditor or creditors of said bank, and shall be prosecuted to judgment and execution, any condition or agreement to the contrary notwithstanding: *Provided*, that if the president or any of the directors may be absent when the excess may be contracted or created, or being present, shall dissent from the act by which the excess is about to be contracted or created, he or they shall not be liable, under this section, if he or they shall, within ten days from the creation of such excess, or discovery thereof, make affidavit of their absence or dissent, and file the same for record with the recording officer of the county; and shall, moreover, within ten days, give notice thereof in one of the public newspapers printed in this state, and transmit a copy thereof to the governor of this state, for the time being; and shall, in said notice, call a meeting of the shareholders, which they are hereby authorized to do.

§ 5. Said bank shall not, at any time, suspend, fail, or refuse payment, in gold or silver, of any of its notes, bills, or other obligations, due and payable, or any moneys on deposit; and, in such case, if the officers in the usual banking hours, at the banking house, shall refuse payment in gold or silver, of the amount of any note there demandable and presented for payment, or the payment of any money previously deposited at such office, and then due and demandable, by any person or persons entitled to receive payment of the same, said bank shall be liable to pay damages at the rate of six per cent. per annum, and interest at the same rate, on the amount thereof, from the time of such failure or refusal until payment thereof; and for such failure or refusal, or for any violation of this charter, the same may be forfeited; and a *scire facias* may be sued out in the name of the commonwealth, by the attorney general, by order of the governor for the time being; and such proceedings may be had, as to declare such forfeiture, by the judgment of a court; and from and after the judgment of forfeiture, said corporation shall cease to exercise any of the powers and privileges hereby granted: *Provided*, said forfeiture shall not be construed to prevent said bank from suing and being sued, and continuing its operations for the purpose of closing its concerns, nor from making any contracts that may be convenient and proper for that purpose.

§ 6. The real and personal estate, business, property, funds, and prudential concerns of said bank, and the administration of its affairs, shall be under the direction, management, and control of nine directors, chosen as hereinafter directed. They shall be stockholders, and after the first election, shall have been stockholders at least three months previous to their election. They shall be resident citizens of the United States, a majority of whom shall reside in the state of Kentucky; and, after the first election, they shall be elected annually on the first Monday in May in each year. Each director shall be a stockholder in his own right; they shall hold their offices for one year, and until their successors shall be chosen. The directors shall be chosen by the shareholders, who shall meet at the annual elections in the town of Milton, at such time and place as the directors, for the time being, shall direct; and

notice of the time and place of holding the annual elections shall be published in at least two authorized newspapers, thirty days next preceding the election. The election shall be by plurality of votes, to be counted and read in public, after all the votes are taken; the election shall be conducted under the direction of three shareholders, acting under oath, and previously chosen by the directory, and not of their own body. No person, who is a director or officer of another bank, shall be eligible as a director of this bank; and any director becoming a director or officer in another bank, or while under protest in this bank for the non-payment of debts, shall be held to have vacated the office of director of this bank; nor shall two partners in trade be eligible as directors in this bank at one and the same time; and if the president, cashier, or any director shall fail, or become insolvent, after his election or appointment, he shall become incapable to serve as an officer in this bank, and shall be held to have vacated his office or place; nor shall he be appointed to serve in this bank until his debts are paid, and until he obtains a full discharge from the same. If, from any cause, an election shall not take place on the day fixed by this charter, the corporation for that cause, shall not be dissolved, but the stockholders may hold an election on any other day the by-laws shall direct.

§ 7. At all meetings of the stockholders, and at all elections under this charter, each and every shareholder, whether individuals, companies, or corporations, shall be entitled to one vote for each share held in their own right, up to fifty shares, and for every five shares, over fifty, up to one hundred, one vote; and for every twenty shares, over one hundred, one vote. After the first election, no share shall entitle the holder to a vote, unless the same has been held by the person claiming to vote on the same, at least three months prior to that time, and so appear on the books of the bank. Any stockholder entitled to vote may do so in person or by proxy; such proxy being granted to a stockholder who is not the president or a director, the clerk, cashier, or teller of the bank; and any stockholder, who is not a resident of the United States, shall not be entitled to vote on his stock.

§ 8. The directors chosen under the provisions of this charter, shall, as soon as may be after the first, and every annual election, or other election of directors, elect a president from their own body, who shall preside at the board until the next election; and in case of the death, absence, or resignation, or vacation of the office of president, the residue of the directors shall choose a president *pro tempore*. They shall fill all vacancies which may occur in their own body, during the time for which they were chosen, and appoint a cashier, clerk, agents, or servants of the bank, fix their compensation, define their powers, and prescribe their duties; and shall require of them such bonds, and in such penalties, as they may deem right; which bonds shall be laid monthly before the directory, and entry made thereof on record; and the directory may, from time to time, require such additional bonds and sureties, with such penalties and conditions as in their opinion will secure the bank from loss or damage; and all such officers shall hold their places during the pleasure of the president and directors.

§ 9. The president and directors of the bank, (any five of whom shall form a quorum for the transaction of business,) may, from time to time,

make such by-laws, rules, and regulations for their own government, and for the management and disposition of the property, estate, funds, and business of the bank, and all matters appertaining thereto, which they may deem expedient, not contrary to the provisions of this charter, or the by-laws, rules, and regulations which the stockholders, at their annual or other meetings may, from time to time, prescribe: *Provided*, however, that a concurrence of a majority of all the directors shall be necessary in the adoption of any of the by-laws of the institution.

§ 10. The president and directors shall hold stated meetings at least once a week, on such days, and at such hour of the day as they may, from time to time, appoint, and at such other times as they may agree upon; and they shall attend called meetings at any time the president shall direct; and all questions before the board shall be decided *viva voce*; and, on the request of any two members, the yeas and nays on any proposition submitted, shall be entered or recorded on the journal of their proceedings; and no vote shall be reconsidered when a less number are present than when the vote was given.

§ 11. No dividends of the profits of said bank shall be declared until there shall be a surplus of one thousand dollars for each one hundred thousand dollars of the capital stock actually paid in; and the surplus or contingent fund thus raised, shall never be reduced below that ratio, on all stock paid for; and it shall be the duty of the president and directors of the bank, on the first Monday in January and July of each year, to declare a dividend of the profits over and above the contingent fund aforesaid, among the stockholders, payable to them on demand; of which dividend, and the time and place of payment, notice shall be given. And if, at any time, said president and directors shall declare a dividend lessening the capital stock, or lessening the contingent fund aforesaid, or by any mismanagement or neglect of duty shall cause any loss or deficiency of or in the capital stock of said bank, the directors consenting thereto, or guilty of such mismanagement or neglect of duty, shall be jointly and severally liable to the stockholders, or any creditor of said bank, who may be injured thereby; and the president and each director shall be deemed guilty of such management or neglect, or to have consented to such dividends, unless he forthwith give notice of his dissent thereto, or his absence from the institution, in like manner as provided in the fourth section of this charter, and call a meeting of the stockholders as herein provided.

§ 12. It shall be the duty of the cashier of the bank, on the first day of July after said bank shall have gone into operation, and on the first day of July in each succeeding year, during the continuance of this charter, to pay to the treasurer of this commonwealth fifty cents on each hundred dollars of stock held and paid for in said bank, which shall be in full of all tax or bonus: *Provided*, that the tax or bonus hereby proposed to be imposed on each share of stock in this bank, is hereby set apart and forever dedicated to the cause of education, on the common school system; and whenever the same, or any part thereof, shall be diverted otherwise, by legislative enactment, said bank shall then be exonerated from the payment of any tax or bonus whatever.

§ 13. The board of directors of the bank shall allow to the president thereof such reasonable compensation for his services as they may, from



time to time, deem just; but no compensation shall be allowed any director of the bank for his services as such director, unless the same be voted by the stockholders at some regular meeting.

§ 14. It shall be the duty of the president and directors of the bank, and they are hereby required, as often as once in three months, to cause a strict examination to be made of the accounts of the cashier, and a full and complete statement to be made and entered on the journal of the proceedings of the board.

§ 15. That it shall not be lawful for the cashier, clerk, teller, or other subordinate officer of the bank, either directly or indirectly, to engage in or carry on any other business than that of said bank, without the special license of the president and directors of the bank; nor shall any of them, either directly or indirectly, become indebted to said bank, either as borrower, indorser, surety, or otherwise.

§ 16. If the cashier, clerk, teller, agent, or other officer of the bank, shall, without the authority of the president and directors of the bank, appropriate any of the funds of said corporation to his own use, or to that of any other person, or shall willfully fail to make correct entries, or shall knowingly make false entries on the books of the bank, with intent to cheat or defraud the corporation or any person, to hide or conceal any improper appropriation of the funds of the corporation, the officer so offending shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of this state for a period of not less than five nor more than twenty years.

§ 17. The president and directors of the bank shall keep a record or journal of all their proceedings, which they shall produce to the stockholders when by them demanded, at any regular meeting; and they shall be open to inspection to any committee appointed by the legislature.

§ 18. It shall be the duty of the president and directors of the bank, during the first week of the session of the legislature in each year, to transmit to the secretary of state an accurate and just statement of the condition of the bank, as it existed on the first day of the preceding month; which statement shall specify the amount of capital stock actually paid in, and the amount not paid in, and the value of the real estate belonging to the bank, and its cost, the total amount of debts due to and from the bank, the amount of gold and silver and other coined metal and bullion on hand, the amount deposited, the amount of bills in circulation, and the amount of bills on hand of other incorporated banks; and the amount of notes in circulation of each denomination issued by the bank, the rate and amount of dividend and profits made by the bank, with the amount of the surplus profits or the contingent fund; which statement the governor of the commonwealth shall cause to be laid before the legislature of Kentucky; and they shall, when required by the legislature, report all bad and doubtful debts.

§ 19. The president, directors, cashiers, clerks, tellers, and other officers of the bank, previous to entering on the discharge of their duties, shall take an oath before some justice of the peace of this state, faithfully, honestly, impartially, and to the best of their skill and judgment, to discharge all the duties of their respective offices and stations, under

this charter, or which may be required of them by the by-laws, rules, and regulations of the corporation.

§ 20. Said bank shall not contract for, or receive greater rate of interest than at the rate of six per centum per annum for the loan or forbearance of money and interest on promissory notes, negotiable and payable at said bank, and their discount shall be calculated on the true time such notes have to run, including three days of grace, and shall be paid in advance and on banking principles, in conformity with Rowlett's tables of discount and interest.

§ 21. That the president and directors shall issue certificates of stock, to the holders thereof, for so much as shall be paid for; and the shares of the capital stock of said bank shall be considered and held, in law, as personal property, and assignable and transferable only in such manner, and at such places as the president and directors of the bank shall, by their by-laws, prescribe.

§ 22. The certificates of deposit, bank bills or notes, bills of exchange, post notes, or orders issued by said bank, shall be signed by the president and countersigned by the cashier, promising or requesting the payment of money to any person or persons, and to order or bearer, as the case may be, shall be obligatory on said bank, although not under its seal; and such of said notes or bills as shall be payable to order, shall be transferable by assignment, and those made payable to bearer, by delivery.

§ 23. That the general meeting of the stockholders shall be held annually, on the first Monday in May in each year, in the town of Milton, at the time of the annual elections; to which meetings the president and directors of the principal bank shall present an accurate statement of the condition and affairs of the bank; and general meetings of the stockholders may be called as provided in the charter, or by the president and directors of the bank, when they esteem it desirable, or by any number of stockholders the by-laws of the corporation shall require.

§ 24. The legislature shall have the right to investigate the situation and affairs of said bank, by any committee they may appoint for that purpose, from time to time.

§ 25. The circuit court of the county of Trimble shall have jurisdiction to try the forfeiture of this charter, for the violation of any of the provisions of the same. The proceedings shall be by *scire facias*, alleging and specifying the acts of forfeiture relied on; and shall only be sued out at the instance of the attorney general, when directed to do so by order of the legislature or the governor for the time being; from the decisions of which court, appeals may be taken as in other cases.

§ 26. That Thomas S. Blandford, William Suyaer, Robert J. King, John B. Floyd, and Robert B. Gray, of the county of Trimble, are hereby appointed and constituted commissioners to open books and receive subscriptions for the stock of said bank, at Milton; and any three of them shall superintend the election of the first board of directors.

§ 27. The said commissioners shall have power, and they are authorized and required, at such time as they may deem it expedient, after giving twenty days notice thereof in some of the newspapers printed in this state, to open books for the subscription of capital stock of said bank at Milton, and such other places as the commissioners may deem

advisable, and cause the books to be kept open until at least two thousand shares of stock shall have been subscribed for the bank, when the same may be closed. The said commissioners at Milton may appoint commissioners in any town or city in the United States to receive subscriptions of stock.

§ 28. If the whole four thousand shares of capital stock shall not be taken when the books of subscription shall first be opened by the commissioners, the president and directors may cause the books to be opened, from time to time, and at such times and places as they may direct, and cause them to be kept open, if they choose, until the whole balance shall be taken; and the president and directors may require such premium on the stock sold, at the re-opening of books, as they shall deem right; and such premium shall be the property of the bank.

§ 29. When not less than two thousand shares of the capital stock shall have been taken, and the commissioners shall have closed the books, it shall be their duty to give notice in some public newspaper printed in this state, and appoint a day and place in the town of Milton for the election of the first board of directors for said bank, who shall hold their offices until the next succeeding annual election; and not less than thirty nor more than sixty days notice shall be given of the time and place of electing the said board of directors; and some three of the commissioners shall act as inspectors of the election, and shall take the proper oaths, and perform all duties of inspectors of elections in like cases.

§ 30. The payment of the shares of the capital stock held by individuals, companies, and corporations, shall be in gold and silver, and at the times and in the manner following, to-wit: five dollars on each share to the commissioners, at the time of subscribing; and five dollars on each share within ten days after the election of the first board of directors; and twenty dollars on each share within sixty days thereafter; and the residue shall be paid in such installments as the president and directors of the bank shall require: *Provided*, that no more than twenty dollars shall be called at any one time, on each share, nor shall the time between the calls be less than one hundred and twenty days.

§ 31. Should any of the subscribers to the capital stock of said bank fail or refuse to pay for their stock, as herein provided, the president and directors, first giving public notice in at least two newspapers printed in this state, for the space of thirty days, by a resolution entered on the records, may forfeit such stock, and proceed, at such time as they may deem expedient, to re-sell the same; and all partial payments made on any stock which shall be forfeited, shall be held for the benefit of the bank.

§ 32. So soon as sixty thousand dollars of capital stock shall have been paid in by individuals, corporations, and companies, in gold or silver, the president and directors shall cause the governor of this commonwealth to be notified thereof, who is hereby authorized to appoint some suitable person to count the money so paid in as capital stock, and to take the oath of the president, and not less than two of the directors, that the same has been paid in as stock, *bona fide*, and make due return thereof to him; and on such appearing to be the fact, the governor is authorized to issue his proclamation, that the amount hereby re-



quired to be paid in, and in the funds required, has been done, and the said bank is authorized to commence operations as a banking institution; and from and after the first proclamation it shall be lawful for said bank to commence business.

§ 33. If any stockholder or stockholders in said bank, who shall not be a resident or residents of the United States, shall vote, or authorize any person to vote at the election of directors for said bank, upon the stock held by such person or persons, not a resident or residents of the United States, or which may be held by others for his or their use and benefit, that such stock, so held and may have been voted upon, or authorized to be voted upon, at any of the elections for directors of said bank, shall be forfeited by such stockholder or stockholders, to and for the use of said bank.

§ 34. The bills or notes of said corporation, originally made payable to bearer, shall be receivable in all payments to the state, and on account of county levies, so long as it shall redeem its notes in gold or silver, on demand, unless otherwise directed by law.

§ 35. No person shall be eligible to the office of director in the bank, who is not the owner of stock, in his own right, at the time of his election or appointment.

§ 36. It shall not be lawful for the president or any director of the bank, to become bound as surety or accommodation indorser on any note or bill discounted in said bank; and a violation of any of the provisions of this section shall subject the person violating the same to the penalty of two thousand dollars, to be recovered by action or petition, in the name of the corporation, and for their use and benefit.

§ 37. Said bank shall not make any loan of money, or discount any note or bill, on the pledge of the stock of said bank, whatever; and no stockholder shall be allowed to pay any debt he may owe the bank, by the surrender of the stock of the bank, until all the notes of the bank shall have been redeemed, and all the debts of the bank paid; and stockholders who shall become indebted to the bank, shall be compelled to pay their debts, in all respects, as other persons dealing with the bank; nor shall any stockholder be allowed to make payment of the shares of stock held by him, by means of a loan or loans obtained from said bank; nor shall any stockholder, while indebted to said bank, transfer his stock therein, without the consent of the board of directors of said bank.

§ 38. The president and directors of the principal bank shall cause their cashier to make semi-annual reports to them on the first day of January and July in each year, in alphabetical order, of all the debts due said bank, setting out the amount due by each individual, with the names of the indorsers or securities, and a note of the other securities, the date of the notes or bills, and when payable.

§ 39. The president and directors of the bank shall have power and authority to purchase and to transfer any scrip or bonds which may be issued by the state: *Provided*, not more than one half the capital stock of said bank paid in, be held in such scrip or bonds at the same time.

§ 40. Notes to be issued by said bank, of a denomination less than five dollars, may be signed by the president or cashier of said bank, without being countersigned by any other officer.

§ 41. The president and directors of the bank may, under the direction of such agent or agents as they may think proper to appoint, open and keep open books for the transfer of the stock of said bank, at such places, and under such rules and regulations, as they may deem proper.

§ 42. Nothing in this charter, or act of incorporation, shall be construed so as to prevent the bank to be established at Milton from going into operation whenever two hundred thousand dollars of stock shall be subscribed and taken, and the sum of sixty thousand dollars shall have been paid in, as required in sections twenty-nine and thirty-two.

*Ordered,* That said bill be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

Mr. McKee moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the affirmative.

The main question was then put—"shall the bill pass?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dodds and Keith, were as follows, viz :

Those who voted in the affirmative, were

Granville C. Alfred,	John J. Haley,	James C. Sprigg,
William Bailey,	Alvin Herndon,	Green Sterett,
A. H. Bryan,	Thomas Hagins,	Daniel B. Stivers,
Joshua F. Bullitt,	Benjamin F. Hume,	Napoleon B. Stone,
John Calvert,	James H. Hundley,	Joshua H. Thomas,
Charles G. C. Canby,	Garland Hurt,	Lawrence S. Trimble,
Willis S. Chaplin,	William G. Jackson,	Thornton Triplett,
Edwin S. Craig,	John G. James,	Francis Troutman,
Jonathan Davis,	Alfred M. Jones,	Drury Tye,
James Edelin,	John J. Landrum,	Claiborne J. Walton,
Christian Engleman,	George R. McKee,	William C. Webster,
Thomas R. Givens,	William F. Moore,	John S. Williams,
David Griggs,	Thomas J. Nash,	Francis H. Winfrey,
Grant Green,	John J. Park,	Chas. G. Wintersmith—43.
Norvin Green,		

Those who voted in the negative, were

William C. Anderson,	William C. Grier,	Elijah S. Mitchusson,
Joseph H. Barlow,	Samuel Hatfield,	Andrew Monroe,
John S. Boyd,	Henry S. Johnson,	Barnett C. Moran,
Charles M. Briggs,	John A. Keith,	Robert O. Morgan,
Curtis F. Burnam,	Benjamin H. Kerrick,	Joseph A. Nevitt,
Isaac Burnett,	John B. Laffoon,	Micajah Oglesby,
James L. Caldwell,	Charles Lee,	Joel W. Sallee,
Robert M. Carlisle,	Joseph H. Lewis,	Elijah G. Sebree,
Francis U. Dodds,	Robert G. Lewis,	Isaac N. Shepperd,
Ellis Duncan,	Henry D. McHenry,	William O. Thomson,
David Elms,	William McMillan,	Alex. H. Willingham,
Jacob S. Golladay,	Strother D. Mitchell,	James C. Wilmore—36.

*Resolved,* That the title thereof be as aforesaid.

Bills from the Senate, of the following titles, viz :

An act for the benefit of the Police Judges of the towns of Hickman and Owentown.

An act to amend an act, entitled, an act to take the sense of the people of Owsley county for the purpose of changing the county seat of said county.

An act to regulate the roads of Knox county.

An act to change the line of Clay and Harlan counties.

An act fixing the time of holding the circuit courts in the 12th judicial district.

An act to legalize the surveys in Knox and Clay counties.

An act for the benefit of Wm. S. Parker, late Sheriff of Lewis county.

An act for the benefit of James M. Todd, Sheriff of Lewis county.

An act to repeal all laws authorizing the County Court of Perry county to remove the mill dam of James Johnston across the Middle Fork of the Kentucky river.

An act to incorporate the Pikeville Turnpike Road Company.

An act to establish a part of the line between the counties of Lawrence, Pike, and Floyd.

An act to incorporate the Danville, Somerset, and Knoxville Railroad Company.

An act for the benefit of the Sheriff of Mason county.

An act to incorporate the Baptist Church of Lancaster, Garrard county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz :

An act for the benefit of the infant heirs of Elisha M. Ford.

An act to incorporate Adams' Fork Lodge, No. 179.

A bill from the Senate, entitled, an act changing the time of holding the quarterly terms of the County Judge of Wayne, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Williams, from the committee on Military Affairs, to whom was referred a bill from the Senate, entitled, an act allowing public arms to the Kentucky Military Institute, and Western Military Institute, reported the same without amendment.



*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Burnam, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act for the benefit of Jarvis Jackson, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act to amend an act, entitled, an act to charter the Louisville and Nashville Railroad Company, and the act amendatory of the same, approved March 20, 1851, with amendments.

The said amendments were taken up, twice read, and concurred in, with an amendment.

On motion of Mr. W. F. Moore, leave was given to bring in a bill for the benefit of the Clerk of the Circuit Court of Lawrence county.

*Ordered*, That the committee on the Judiciary prepare and bring in the same.

Mr. Williams, from the committee on the Judiciary, to whom was referred a bill to amend an act to incorporate the Cook Benevolent Institution, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the Senate, entitled, an act to establish a State Board of Agriculture, and for other purposes, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

*Ordered*, That said bill be laid on the table.

Mr. Burnam, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act to incorporate the German Protestant Orphan Asylum Company, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the Senate, entitled, an act giving additional power to the trustees of Richmond, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Burnam, from the committee on Education, to whom was referred a bill authorizing common school commissioners to change or form new districts, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Winfrey, from the committee on Propositions and Grievances, to whom was referred a bill from the Senate, entitled, an act for the benefit of Milton Johnson, and others, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

#### WEDNESDAY, JANUARY 7, 1852.

Mr. Jones, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, to-wit:

An act regulating the fees and duties of the sealer of weights and measures in Jefferson county.

An act for the benefit of John Bell, jr.

An act making additional voting places in districts Nos. 3 and 7, and changing the place of voting in district No. 4, in Greenup county.

An act to amend the city charter of Covington.

An act for the benefit of John Riley.

An act for the benefit of the Sheriff of Bath county.

An act for the benefit of the Sheriff of Caldwell county.

An act to authorize the County Court of Harrison county to borrow money.

An act to amend an act incorporating the Bardstown Female Academy.

An act to authorize the County Court of Allen to re-district election precincts, and establish an additional Justices' district and election precinct in said county.

An act to establish the Parochial School of Elkton, Todd county.

An act incorporating the Peoples' Hydropathic, Literary, and American Reform College of Kentucky.

An act to establish the offices of Police Judge and Town Marshal in the town of Milburn, in Ballard county.

An act for the benefit of the Sheriff of Grant county.

An act to allow an additional Magistrates' and Constable's district in Owsley county.

An act repealing the law requiring the Wayne County Court to erect and keep a stray pound.

An act to authorize the town of Columbus to take and hold stock in the Ohio and Mobile Railroad Company.

An act to amend the charter of the Kentucky Female Orphan School.

An act to authorize the County Court of McCracken to levy an *ad valorem* tax to build a court house and jail.

An act authorizing the Judge of the Hart County Court to hold a July term of said court, and regulate the time of holding the Boyle County Court.

An act to amend and reduce into one the several acts relating to the town of Glasgow.

An act to incorporate the Lexington and Cumberland Railroad Company.

An act to establish the county of Powell.

An act to authorize the people of Fayette to provide for the erection of a new court house.

An act for the benefit of the town of Dycusburg, in Crittenden county.



An act incorporating the Napoleon and Big Bone Lick Turnpike Road Company.

An act to authorize the town of Paducah to subscribe stock in certain railroads.

An act to incorporate Albion Female Collegiate Institute.

An act to charter the Hamilton and Union Turnpike Road Company.

An act to authorize the County Court of McCracken to subscribe stock in certain railroads.

An act to incorporate the Newport Fuel Company.

An act for the benefit of the infant heirs of Elisha M. Ford.

An act to amend an act, entitled, an act to extend the limits of the town of Hopkinsville, approved February 4, 1846.

An act to amend an act, entitled, an act prescribing the means and mode of opening and working roads in Boone county.

An act to incorporate Adams' Fork Lodge, No. 179.

An act to authorize the county of Hickman to take and hold stock in the Ohio and Mobile Railroad Company.

An act in relation to the districts in Franklin county.

An act incorporating the Louisville locomotive works.

An act to amend the charter of the Louisville and Elizabethtown Turnpike Road Company.

An act to incorporate the Crab Orchard and Mount Vernon Turnpike Road Company.

An act to incorporate certain turnpike companies in the county of Garrard.

An act to incorporate the Nashville and Cincinnati Railroad Company.

And bills, which originated in the Senate, of the following titles, to-wit :

An act supplemental to an act, entitled, an act to amend the charter of the Louisville and Nashville Railroad Company, approved March 5, 1850, and for other purposes.

An act to amend an act, entitled, an act to charter the town of Simpsonville, in Shelby county.

An act to authorize the County Court of Daviess, and other counties so disposed, to subscribe stock in the Louisville and Mississippi Railroad Company, and in the Louisville and Nashville Railroad Company.

An act for the benefit of school districts Nos. 28 and 29, in Mercer county.

An act to incorporate the Frankfort and Midway Turnpike Company.

An act for the benefit of school district No. 29, in Owen county.

An act for the benefit of the Louisville and Oldham Turnpike Road Company.

An act for the benefit of the administrator of Dixon Givens, deceased.

An act to incorporate the Danville, Somerset, and Knoxville Railroad Company.

An act for the benefit of the Police Judges of the towns of Hickman and Owenton.

An act to establish a sinking fund for the county of Bourbon, and to provide for the appointment of commissioners therefor.

An act allowing an additional Magistrates' and Constable's district in Morgan county.

An act to incorporate the Phoenix Insurance Company, at Lexington.

An act to incorporate Mills' Point Lodge, No. 120, of Free and Accepted Masons.

An act to authorize the county of Henry to subscribe stock in the Louisville and Covington Railroad.

An act to amend the charter of the Covington and Lexington Railroad Company.

An act to amend an act, entitled, an act to incorporate the Georgetown and Louisville Branch Railroad.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Jones inform the Senate thereof.

1. Mr. Jackson presented the petition of sundry citizens of Owsley county, praying to be restored to the county of Estill, from which they had been detached by a new line run between Estill and Owsley.

2. Mr. Burnam presented a communication from Samuel Hanson, suggesting amendments to the act organizing county courts in this commonwealth.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; and the 2d to the committee on County Courts.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act for the appropriation of money.

That they had passed a bill, entitled,

An act amending the Code of Practice.

That they had passed bills from this House, of the following titles, to-wit:

An act to incorporate Herman Division, No. 17, I. O. O. F.

An act to grant certain privileges to the Dutch Ridge Turnpike Road Company.

An act to incorporate North Middletown Royal Arch Chapter, No. 26, and Morrison Lodge, No. 103, of Free and Accepted Masons.

An act to amend the charter of the Frankfort and Lawrenceburg Turnpike Road Company.

An act for the benefit of George W. Lewis.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Internal Improvement—1. A bill to incorporate Warsaw Division, No. 59, Sons of Temperance.

By same—2. A bill to incorporate Napoleon Division, No. 260, Sons of Temperance.

By the committee on County Courts—3. A bill to establish the Police Court of Hillsboro', in Fleming county.

By Mr. Hurt—4. A bill to charter the Kentucky and Virginia Railroad Company.

By the committee on Propositions and Grievances—5. A bill to attach a portion of Perry county to Owsley county.

By same—6. A bill authorizing the establishment of a road in Morgan county.

By same—7. A bill for the benefit of R. Johnson, of Nelson county.

By same—8. A bill for the benefit of Turner Wilson and Ben. Hardin, of Nelson county.

By the committee on Internal Improvement—9. A bill to incorporate the Williamstown and Falmouth turnpike or plank road company.

By Mr. Hatfield—10. A bill to change a road in Simpson county.

By the committee on the Judiciary—11. A bill to authorize the Judge of the Spencer Circuit Court to administer the oath of office in vacation to a deputy clerk.

By the committee on Propositions and Grievances—12. A bill to change Justices' district No. 2, in Spencer county.

By Mr. Webster—13. A bill to amend an act, entitled, an act to incorporate the Nashville and Cincinnati Railroad Company.

By same—14. A bill to amend the boundary of Justices' district No. 3, in Taylor county.

By same—15. A bill for the benefit of the late Sheriffs of Taylor and Oldham counties.

By same—16. A bill appropriating the revenue of Muldrow's Hill turnpike road to Taylor county.

By Mr. Briggs—17. A bill to amend the charter of the town of Bowlinggreen.

By same—18. A bill for the benefit of the Bowlinggreen and Tennessee Railroad Company.



By the committee on the Judiciary—19. A bill amendatory of an act. to incorporate the Danville, Somerset, and Knoville Railroad Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Bates,

*Ordered*, That the committee on County Courts be discharged from the further consideration of all matters referred to them.

Mr. Caldwell, from the committee on Circuit Courts, to whom was referred a bill from the Senate, entitled, an act requiring the Mercer Circuit Court to index and cross index certain record books, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. McNary, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act in relation to the Harrodsburg, Cane Run, and Big Spring Turnpike Road Company, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

The House then took up the resolution for the final adjournment of the General Assembly.

Mr. N. Green moved to postpone the further consideration of said resolution to 3 o'clock, P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Anderson and Samuels, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,

Grant Green,  
Norvin Green,  
John J. Haley,  
Samuel Hatfield,

Samuel M. Moore,  
William F. Moore,  
Thomas J. Nash,  
John J. Park,

A. H. Bryan,	Charles J. Helm,	Joel W. Sallee,
Isaac Burnett,	Alvin Herndon,	James C. Sprigg,
Charles G. C. Canby,	Thomas Hagins,	Green Sterett,
Robert M. Carlisle,	Benjamin F. Hume,	John J. Thomas,
Jonathan Davis,	Garland Hurt,	Thornton Triplett,
Francis U. Dodds,	Charles Lee,	Claiborne J. Walton,
Price Edrington,	Thomas F. Marshall,	William C. Webster,
John F. Gaar,	Henry D. McHenry,	Alex. H. Willingham,
Thomas R. Givens,	William McMillan,	Chas. G. Wintersmith—41.
William C. Grier,	Robert O. Morgan,	

Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Jacob S. Golladay,	Andrew Monroe,
Granville C. Alfred,	David Griggs,	Barnett C. Moran,
William C. Anderson,	John B. Holladay,	Joseph A. Nevitt,
John S. Boyd,	James H. Hundley,	William T. Samuels,
Charles M. Briggs,	William G. Jackson,	Elijah G. Seabee,
Joshua F. Bullitt,	John G. James,	Isaac N. Shepperd,
Curtis F. Burnam,	Henry S. Johnson,	Daniel B. Stivers,
James L. Caldwell,	John A. Keith,	Napoleon B. Stone,
Willis S. Chaplin,	Benjamin H. Kerrick,	Joshua H. Thomas,
A. D. Cosby,	John B. Laffoon,	William O. Thomson,
Edwin S. Craig,	Robert G. Lewis,	Lawrence S. Trimble,
Ellis Duncan,	George R. McKee,	Drury Tye,
James Edelin,	William C. McNary,	John S. Williams,
David Elms,	Strother D. Mitchell,	James C. Wilmore,
Christian Engleman,	Elijah S. Mitchusson,	Francis H. Winfrey—46.
Elisha S. Fitch,		

Mr. Anderson moved the previous question.

The question was then taken—"shall the main question be now put?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Anderson and Samuels, were as follows, viz:

Those who voted in the affirmative, were

William C. Anderson,	Thomas R. Givens,	William T. Samuels,
William Bailey,	Jacob S. Golladay,	Elijah G. Seabee,
John S. Boyd,	Charles J. Helm,	Isaac N. Shepperd,
Isaac Burnett,	Thomas Hagins,	Daniel B. Stivers,
James L. Caldwell,	John B. Holladay,	Napoleon B. Stone,
Charles G. C. Canby,	Benjamin H. Kerrick,	John J. Thomas,
Robert M. Carlisle,	Thomas F. Marshall,	Joshua H. Thomas,
A. D. Cosby,	William McMillan,	William O. Thomson,
Jonathan Davis,	William C. McNary,	Lawrence S. Trimble,
Ellis Duncan,	Strother D. Mitchell,	Thornton Triplett,
James Edelin,	Elijah S. Mitchusson,	Drury Tye,
Price Edrington,	Barnett C. Moran,	John S. Williams,
David Elms,	Robert O. Morgan,	Francis H. Winfrey—41.
Christian Engleman,	Samuel M. Moore,	

## Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Grant Green,	Robert G. Lewis,
Granville C. Alfred,	Norvin Green,	Henry D. McHenry,
Joseph H. Barlow,	John J. Haley,	George R. McKee,
James P. Bates,	Samuel Hatfield,	Andrew Monroe,
Charles M. Briggs,	Alvin Herndon,	William F. Moore,
A. H. Bryan,	Benjamin F. Hume,	Thomas J. Nash,
Joshua F. Bullitt,	James H. Hundley,	Joseph A. Nevitt,
Curtis F. Burnam,	Garland Hurt,	John J. Park,
John Calvert,	William G. Jackson,	Joel W. Sallee,
Willis S. Chaplin,	John G. James,	James C. Sprigg,
Edwin S. Craig,	Henry S. Johnson,	Green Sterett,
Francis U. Dodds,	Alfred M. Jones,	Claiborne J. Walton,
Elisha S. Fitch,	John A. Keith,	William C. Webster,
John F. Gaar,	John B. Laffoon,	Alex. H. Willingham,
William C. Grier,	John J. Landrum,	James C. Wilmore,
David Griggs,	Charles Lee,	Chas. G. Wintersmith—48.

Mr. Bullitt moved a reconsideration of the vote refusing to postpone the consideration of the resolution for the final adjournment of the General Assembly until 3 o'clock, P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Anderson and Sebree, were as follows, viz :

## Those who voted in the affirmative, were

William Bailey,	David Griggs,	William McMillan,
Cleaton Bane,	Grant Green,	Andrew Monroe,
Joseph H. Barlow,	Norvin Green,	Barnett C. Moran,
James P. Bates,	John J. Haley,	Samuel M. Moore,
Charles M. Briggs,	Samuel Hatfield,	William F. Moore,
A. H. Bryan,	Charles J. Helm,	Thomas J. Nash,
Joshua F. Bullitt,	Alvin Herndon,	Micajah Oglesby,
Curtis F. Burnam,	Thomas Hagins,	John J. Park,
Isaac Burnett,	Benjamin F. Hume,	Joel W. Sallee,
John Calvert,	James H. Hundley,	William T. Samuels.
Charles G. C. Canby,	Garland Hurt,	James C. Sprigg,
Robert M. Carlisle,	William G. Jackson,	Green Sterett,
Edwin S. Craig,	John G. James,	Daniel B. Stivers,
Jonathan Davis,	John A. Keith,	Francis Troutman,
Francis U. Dodds,	John J. Landrum,	Drury Tye,
Ellis Duncan,	Charles Lee,	Claiborne J. Walton,
Price Edrington,	Robert G. Lewis,	William C. Webster,
Elisha S. Fitch,	Opie J. Lindsay,	Alex. H. Willingham,
John F. Gaar,	Thomas F. Marshall,	Francis H. Winfrey,
Thomas R. Givens,	George R. McKee,	Chas. G. Wintersmith—61.
William C. Grier,		

## Those who voted in the negative, were

Mr. Speaker, (Robertson,)	Jacob S. Golladay,	Joseph A. Nevitt,
Granville C. Alfred,	John B. Holladay,	Elijah G. Sebree,
William C. Anderson,	Benjamin H. Kerrick,	Isaac N. Shepperd,



John S. Boyd,  
James L. Caldwell,  
Willis S. Chaplin,  
A. D. Cosby,  
James Edelin,  
David Elms,  
Christian Engleman,

John B. Laffoon,  
Joseph H. Lewis,  
Henry D. McHenry,  
William C. McNary,  
Strother D. Mitchell,  
Elijah S. Mitchusson,  
Robert O. Morgan,

Napoleon B. Stone,  
Joshua H. Thomas,  
William O. Thomson,  
Thornton Triplett,  
John S. Williams,  
James C. Wilmore—29.

The question was again taken on postponing the further consideration of said resolution until 3 o'clock, P. M., and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Seabee and Anderson, were as follows, viz :

Those who voted in the affirmative, were

William Bailey,  
Cleaton Bane,  
Joseph H. Barlow,  
James P. Bates,  
Charles M. Briggs,  
A. H. Bryan,  
Joshua F. Bullitt,  
Curtis F. Burnam,  
Isaac Burnett,  
John Calvert,  
Charles G. C. Canby,  
Robert M. Carlisle,  
Edwin S. Craig,  
Jonathan Davis,  
Francis U. Dodds,  
Ellis Duncan,  
Price Edrington,  
Elisha S. Fitch,  
John F. Gaar,  
Thomas R. Givens,  
David Griggs,

Grant Green,  
Norvin Green,  
John J. Haley,  
Samuel Hatfield,  
Charles J. Helm,  
Alvin Herndon,  
Thomas Hagins,  
Benjamin F. Hume,  
James H. Hundley,  
Garland Hurt,  
William G. Jackson,  
John G. James,  
John A. Keith,  
John B. Laffoon,  
John J. Landrum,  
Charles Lee,  
Robert G. Lewis,  
Thomas F. Marshall,  
Henry D. McHenry,  
George R. McKee,

William McMillan,  
Andrew Monroe,  
Barnett C. Moran,  
Samuel M. Moore,  
William F. Moore,  
Thomas J. Nash,  
Joseph A. Nevitt,  
Micajah Oglesby,  
John J. Park,  
Joel W. Sallee,  
James C. Sprigg,  
Green Sterett,  
Daniel B. Stivers,  
Francis Troutman,  
Drury Tye,  
Claiborne J. Walton,  
William C. Webster,  
Alex. H. Willingham,  
Francis H. Winfrey,  
Chas. G. Wintersmith—61.

Those who voted in the negative, were

Mr. Speaker, (Robertson,) Jacob S. Golladay,  
Granville C. Alfred, John B. Holladay,  
William C. Anderson, Benjamin H. Kerrick,  
John S. Boyd, Joseph H. Lewis,  
James L. Caldwell, William C. McNary,  
Willis S. Chaplin, Strother D. Mitchell,  
James Edelin, Elijah S. Mitchusson,  
David Elms, Robert O. Morgan,  
Christian Engleman, William T. Samuels,

Elijah G. Seabee,  
Isaac N. Shepperd,  
Napoleon B. Stone,  
Joshua H. Thomas,  
William O. Thomson,  
Thornton Triplett,  
John S. Williams,  
James C. Wilmore—26.

The House took up for consideration the resolution read and laid on the table the 27th December by Mr. Wintersmith.

Mr. Marshall moved to amend said resolution, by striking out the word "twenty-second," and insert in lieu thereof the word "twelfth."

And the question being taken on adopting said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Briggs and Webster, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Grant Green,	George R. McKee,
Granville C. Alfred,	Thomas R. Harman,	William C. McNary,
Charles M. Briggs,	John B. Holladay,	Strother D. Mitchell,
A. H. Bryan,	Benjamin F. Hume,	Andrew Monroe,
Joshua F. Bullitt,	James H. Hundley,	Barnett C. Moran,
Curtis F. Burnam,	Garland Hurt,	William F. Moore,
John Calvert,	William G. Jackson,	John J. Park,
Charles G. C. Canby,	John G. James,	James C. Sprigg,
Willis S. Chaplin,	Henry S. Johnson,	Daniel B. Stivers,
Edwin S. Craig,	John A. Keith,	William O. Thomson,
Ellis Duncan,	John J. Landrum,	Drury Tye,
Elisha S. Fitch,	Robert G. Lewis,	Claiborne J. Walton,
Thomas R. Givens,	Opie J. Lindsay,	William C. Webster,
David Griggs,	Thomas F. Marshall,	James C. Wilmore—42.

Those who voted in the negative, were

William C. Anderson,	John F. Gaar,	Samuel M. Moore,
William Bailey,	Jacob S. Golladay,	Thomas J. Nash,
Cleaton Bane,	Norvin Green,	Joseph A. Nevitt,
Joseph H. Barlow,	John J. Haley,	Micajah Oglesby,
James P. Bates,	Samuel Hatfield,	Joel W. Sallee,
John S. Boyd,	Charles J. Helm,	William T. Samuels,
Isaac Burnett,	Alvin Herndon,	Elijah G. Seebree,
James L. Caldwell,	Thomas Hagins,	Isaac N. Shepperd,
Robert M. Carlisle,	Benjamin H. Kerrick,	Green Sterett,
A. D. Cosby,	John B. Laffoon,	Joshua H. Thomas,
Jonathan Davis,	Charles Lee,	Thornton Triplett,
Francis U. Dodds,	Joseph H. Lewis,	Francis Troutman,
James Edelin,	Henry D. McHenry,	John S. Williams,
Price Edrington,	William McMillan,	Alex. H. Willingham,
David Elms,	Elijah S. Mitchusson,	Francis H. Winfrey,
Christian Engleman,	Robert O. Morgan,	Chas. G. Wintersmith—48.

Mr. N. Green moved to amend the said resolution, by striking out all after the enacting clause, and inserting in lieu thereof the following, to-wit :

That when the Senate and House of Representatives adjourn on this day, they will adjourn to meet again on the 9th instant ; and that when they adjourn on the 12th instant, they will adjourn *sine die*.

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mitchusson and Bryan, were as follows, viz :

## Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Alvin Herndon,	Samuel M. Moore,
Granville C. Alfred,	Benjamin F. Hume,	William F. Moore,
James P. Bates,	James H. Hundley,	Thomas J. Nash,
Charles M. Briggs,	Garland Hurt,	Micajah Oglesby,
A. H. Bryan,	William G. Jackson,	John J. Park,
Joshua F. Bullitt,	John G. James,	Joel W. Sallee,
Curtis F. Burnam,	Henry S. Johnson,	James C. Sprigg,
Charles G. C. Canby,	John A. Keith,	Daniel B. Stivers,
Edwin S. Craig,	John J. Landrum,	William O. Thomson,
Elisha S. Fitch,	Robert G. Lewis,	Francis Troutman,
Thomas R. Givens,	Opie J. Lindsay,	Drury Tye,
David Griggs,	Thomas F. Marshall,	Claiborne J. Walton,
Grant Green,	Henry D. McHenry,	William C. Webster,
Norvin Green,	Strother D. Mitchell,	Alex. H. Willingham,
Thomas R. Harman,	Andrew Monroe,	James C. Wilmore—47.
Charles J. Helm,	Barnett C. Moran,	

## Those who voted in the negative, were

William C. Anderson,	Price Edrington,	Elijah S. Mitchusson,
William Bailey,	David Elms,	Robert O. Morgan,
Joseph H. Barlow,	Christian Engleman,	Joseph A. Nevitt,
John S. Boyd,	John F. Gaar,	Elijah G. Sebree,
Isaac Burnett,	Jacob S. Golladay,	Isaac N. Shepperd,
James L. Caldwell,	Samuel Hatfield,	Green Sterett,
Robert M. Carlisle,	Thomas Hagins,	Napoleon B. Stone,
Willis S. Chaplin,	Benjamin H. Kerrick,	Joshua H. Thomas,
A. D. Cosby,	John B. Laffoon,	Lawrence S. Trimble,
Jonathan Davis,	Charles Lee,	Thornton Triplett,
Francis U. Dodds,	Joseph H. Lewis,	John S. Williams,
Ellis Duncan,	William McMillan,	Francis H. Winfrey—38.
James Edelin,	William C. McNary,	

The said resolution, as amended, was then twice read, and adopted.

Mr. Herndon, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act to authorize the sale of the Methodist Parsonage in Salvisa, Mercer county, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hagins, from the committee on the Expenditures of the Board of Internal Improvement, made the following report, viz:

The committee on the Expenditures of the Board of Internal Improvement have examined the books and accounts of the president of the board from the 1st July, 1850, to 30th June, 1851, and find them correct, as per vouchers exhibited to them, so far as they can judge.

THOMAS HAGINS.



Bills from the Senate, of the following titles, viz :

An act to charter the Mountsterling and Paris Railroad Company.

An act to amend the act incorporating the town of Mountsterling, and to provide for the appointment of a watchman for the said town and for the county of Montgomery.

An act to incorporate the Hall of Simpson Benevolent Lodge, No. 177, Ancient Free and Accepted Masons.

An act to authorize the trustees of the town of Uniontown to license coffee-houses.

An act to provide for the registration of births, deaths, and marriages, in Kentucky.

An act to change the time of holding the quarterly courts for the county of Bath.

An act to incorporate Devotion Lodge, No. 160, of Free and Accepted Masons.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act to authorize the sale of a parsonage in Green county, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The said bill was then amended, and as amended was ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be amended to read as follows: "an act to authorize the sale of parsonages in Green and Muhlenburg counties.

Mr. McKee, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of the children of Alexander Hammond, deceased, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McNary, from the committee on Internal Improvement, to whom were referred bills from the Senate, of the following titles, viz :

An act for the benefit of John Crume.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

Reported the same without amendment.

*Ordered*, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz :

An act authorizing the County Judge of Oldham to alter Lagrange district.

An act allowing an additional Magistrates' and Constable's district in Pulaski county.

An act to incorporate the New Orleans and Ohio Railroad Company.

Were taken up, twice read, and concurred in.

Mr. Briggs, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz :

An act for the appropriation of money.

An act to adopt the Revised Statutes.

An act requiring the Mercer Circuit Court to index and cross index certain record books.

An act to amend an act incorporating certain turnpike roads in Garrard county.

An act calling a convention in the city of Newport.

An act in relation to the Harrodsburg, Cane Run, and Big Spring Turnpike Road Company.

An act to allow a Police Judge and Town Marshal to the town of Cornishville, in Mercer county.

An act to authorize the Oakland plank road company to construct a branch road.

An act giving Julius Hacker, Sheriff of Owsley county, further time to return his delinquent list.

An act changing the time of holding the Estill and Franklin Circuit Courts.

An act for the benefit of the Deaf and Dumb Asylum of Kentucky.

An act to provide for an additional Magistrates' district, No. 9, in Caldwell county.

An act to establish and incorporate the town of Bloomington, in Franklin county.

An act explanatory of an act approved March 24, 1851, entitled, an act to charter the city of Louisville.

A resolution authorizing the Clerks of the Senate and House of Representatives to employ assistants.

And a bill, which originated in this House, entitled,

An act for the benefit of the Kentucky Institution for the Education of the Blind.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Briggs inform the Senate thereof.

Mr. Burnett, from the committee on Ways and Means, to whom was referred a bill for the benefit of the Sheriffs of Owen and Bracken counties, reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

A bill authorizing the Judge of the Pendleton County Court to alter or change any election or Justices' district or place of voting in said county, was read a second time.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

The amendment proposed by the Senate, to a bill from this House, entitled, an act to amend an act, entitled, an act to incorporate the town of Campbellsville, was taken up, twice read, and disagreed to.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to authorize James Haggard to solemnize marriages.

An act to create the offices of Police Judge and Marshal in the town of Greenville, in Muhlenburg county.

An act to change the voting place in district No. 3, in Hart county.

An act to extend the corporate limits of the town of Henderson, in Henderson county.

An act to incorporate Warsaw Division, No. 59, Sons of Temperance.

An act in relation to the blind children of Kentucky.

An act to incorporate Napoleon Division, No. 260, Sons of Temperance.

An act for the benefit of the Sheriffs of Henry, Owen, Knox, Perry, and Wayne counties.

An act to incorporate the New Orleans and Ohio Railroad Company.



An act to establish an additional Justices' and Constable's district and election precinct in Jefferson county.

With amendments to the last named bill.

That they had passed bills and a resolution of the following titles, to-wit:

An act to provide for the compensation of the commissioners on the code of practice.

A resolution fixing a day for the final adjournment of the General Assembly.

Mr. McNary, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to incorporate the Versailles and Woodford Railroad Company, reported the same without amendment.

The said bill, on motion of Mr. Marshall, was then amended.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

The House then took up for consideration the resolution from the Senate, reported on this day, fixing a day for the final adjournment of the general assembly, which being twice read, was concurred in.

Mr. McKee, from the committee appointed to prepare and bring in the same, reported a bill to repeal the code of practice, which was read the first time.

And the question being taken on ordering said bill to be read a second time, it was decided in the negative; and so the said bill was rejected.

Mr. J. H. Lewis moved the following resolution, viz:

*Resolved*, That the use of this hall be tendered for the use of the democratic convention on to-morrow.

Which was adopted.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill to meet the deficit in the treasury.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to amend the charter of the Augusta, Cynthiana, and Georgetown Turnpike Road Company.

An act to charter the Lexington and Kentucky River Railroad Company.

An act for the benefit of the Maysville and Mountsterling Turnpike Road Company.

An act declaring Robinson's creek a navigable stream.

An act for the benefit of the 6th road district in Kenton county.

An act for the benefit of the Taylor's Mill Turnpike Road Company.

An act to change the lines of Justices' district No. 1, in Laurel county.

An act declaring Wolf creek navigable.

An act changing the county and quarterly courts of Perry and Letcher counties.

An act creating a new district in the county of Pike.

An act allowing the guardians of the Louisville City Alms House to apprentice certain poor children.

An act to repeal an act, entitled, an act to empower the trustees of Williamsburg to sell a part of a street in said town.

An act concerning the road and bridge fund of Whitley county.

An act to establish the Police Court of Hillsboro', in Fleming county.

That they had passed a bill, entitled,

An act to provide for the printing and publishing the Revised Statutes, and compensating the commissioners.

Mr. Briggs, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, and had found the same truly enrolled, to-wit:

An act to repeal all laws authorizing the County Court of Perry county to remove the mill dam of James Johnston across the Middle Fork of the Kentucky river.

An act to amend an act, entitled, an act to take the sense of the people of Owsley county for the purpose of changing the county seat of said county.

An act to legalize surveys in Knox and Clay counties.

An act to incorporate the Baptist Church of Lancaster, Garrard county.

An act fixing the time of holding the circuit courts in the 12th judicial district.

And bills, which originated in this House, of the following titles, to-wit:

An act for the benefit of George W. Lewis.

An act to extend the corporate limits of the town of Henderson, in Henderson county.

An act to grant certain privileges to the Dutch Ridge Turnpike Road Company.

An act to incorporate the Presbyterial Academy of Greenville.

An act to amend an act, entitled, an act to charter the city of Louisville, approved March 24, 1851, and for other purposes.

An act to incorporate the town of Calhoon, in Daviess county.

An act authorizing James Haggard to solemnize marriages.

An act for the benefit of the Sheriffs of Henry, Owen, Knox, Perry, and Wayne counties.

An act for the benefit of the heirs of James Gay, deceased.

An act for the benefit of Gallatin County Academy, and common school district No. 1, in Carroll county.

An act for the benefit of the Louisville and Covington Railroad Company.

An act to incorporate the Maysville and Blue Run Plank or Turnpike Road Company.

An act to incorporate the Peoples' Turnpike Road Company.

An act to charter the Hamilton Turnpike Road Company.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Briggs inform the Senate thereof.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill concerning common schools in the city of Lexington.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

Mr. Herndon, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act to incorporate the General Association of Baptists in Kentucky, reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

*Resolved*, That the same do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz :

An act to incorporate Daniel Boone Division, No. 35, Sons of Temperance.

An act concerning common schools in the city of Lexington.

An act for the benefit of the Sheriffs of Owen and Bracken counties.

An act to incorporate Division No. 17, Sons of Temperance.

An act to incorporate Union Division, No. 42, Sons of Temperance.

An act authorizing the Judge of the Pendleton County Court to alter



or change any election or Justices' district or place of voting in said county.

An act to meet the deficit in the treasury.

An act for the benefit of the Fleming County Court.

An act to change the time of holding the August term of the Laurel quarterly county court.

An act to change the boundary line of Justices' district No. 8, in Daviess county.

An act for the benefit of the Sheriff of Anderson county.

An act authorizing the establishment of a road in Morgan county.

An act for the benefit of R. Johnston, of Nelson and Washington counties.

An act to change a road in Simpson county.

An act to authorize the Judge of the Spencer Circuit Court to administer the oath of office in vacation to a deputy clerk.

An act to change Justices' district No. 2, in Spencer county.

An act to amend an act, entitled, an act to incorporate the Nashville and Cincinnati Railroad Company.

An act to amend the boundary of Justices' district No. 3, in Taylor county.

An act for the benefit of the late Sheriffs of Taylor and Oldham counties.

An act appropriating the revenue of Muldrow's Hill turnpike road to Taylor county.

An act to amend the charter of the town of Bowlinggreen.

An act for the benefit of the Bowlinggreen and Tennessee Railroad Company.

An act amendatory of an act to incorporate the Danville, Somerset, and Knoxville Railroad Company.

An act for the benefit of the city of Newport.

An act for the benefit of Turner Wilson and Ben. Hardin, of Nelson county.

An act for the benefit of G. W. Mayo.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz :

An act to legalize the proceedings of the June term of the Union County Court, 1851.

An act to authorize streets and alleys to be opened in cities.

An act for the benefit of the Louisville and Nashville Railroad Company.

An act to amend the charter of the Danville and Houstonville Turnpike Road Company.

An act to provide for compensation to extra clerks.

An act to provide for the annexation of the town of Portland to the city of Louisville.

A bill from the Senate, entitled, an act for printing and publishing the Revised Statutes, and compensating the commissioners, was read the first time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That Squire Turner, Samuel S. Nicholas, and Charles A. Wickliffe, be paid out of any money in the treasury not otherwise appropriated, the sum of one thousand dollars, each, for their services in preparing and reporting to the general assembly a revision of the statutes.

§ 2. That Charles A. Wickliffe, one of said commissioners, be directed to prepare and index the act to revise the statutes, and superintend the arranging and printing of the same in a volume, together with the constitution of 1799, and the constitution of 1850, the constitution of the United States, the compact with Virginia, the acts of congress in relation to aliens, and the acts of congress in relation to the surrender of fugitives from labor, and the acts of a general nature, passed at the present session, under appropriate heads.

§ 3. That the public printer print three thousand copies of said work on the best paper used for law printing, and cause the same to be bound in good and substantial law binding for the use of the state.

§ 4. That copies of said work be distributed to all persons and officers of government to whom the general acts of assembly are distributed under existing laws.

§ 5. That said Wickliffe shall be allowed the additional sum of one hundred and fifty dollars, as compensation for his services rendered during the present session of the legislature, under the direction of the general assembly, which is ordered to be paid out of any money in the treasury not otherwise appropriated.

§ 6. It shall be the duty of the secretary of state to file the title of said work in the office of the district court, and have the copyright thereof secured to the secretary of state for the use of this state.

*Ordered,* That said bill be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Williams moved to amend said bill, by striking out all after the enacting clause, and inserting in lieu thereof the following, viz:

That the commissioners to revise and digest the civil and criminal statute laws of this commonwealth, be authorized and required to cause to be printed, in one volume, the digest of the statutes, as revised, amended, and approved by the general assembly of Kentucky at its last and present sessions. The number of copies to be printed, to be left at the discretion of the commissioners. The state of Kentucky is to be furnished with three thousand copies, printed upon type entirely new, and of the size now used for printing the session acts, and upon paper of superior quality, and bound in the very best style of sheep law binding. The volume to contain—

1. Declaration of Independence.
2. Constitution of the United States.
3. Laws of the United States in relation to naturalization; authentication of records; fugitives from justice, and fugitives from labor.

4. The old and new constitutions of the state of Kentucky.

5. The compact with Virginia.

6. The Revised Statutes, adopted at the last and present sessions of the general assembly of Kentucky, together with all the general laws adopted at the present session, not embraced in the Revised Statutes, to be digested without changing the spirit or meaning thereof. The chapters of the Revised Statutes to be arranged in alphabetical order, with a table of contents and marginal notes to each chapter, and a complete index to the whole volume.

§ 2. The book to be printed, and the three thousand volumes to be delivered to the secretary of state on or before the twentieth day of June, 1852.

§ 3. The commissioners to have the right to take out a copyright, under the laws of the United States, for said book, and to be bound to furnish the state, during its continuance, with any number of copies that the general assembly may require, at the price, per volume, paid for the three thousand copies.

§ 4. Upon the delivery of the three thousand volumes into the office of secretary of state, such as described in this act, lettered, and the words "property of Kentucky" stamped on two thousand five hundred, and that fact being certified by the secretary of state, and approved by the governor, the auditor shall issue his warrant in favor of the commissioners for the amount due, estimating the value at four dollars, which shall be in full for the services of said commissioners rendered and to be rendered.

§ 5. To enable the commissioners to purchase the paper and other materials, and to pay in part the expenses of publishing said digest, the auditor is directed to issue his warrant on the treasurer, in favor of the commissioners, for three thousand dollars; which sum is to be in part pay of the three thousand volumes, when delivered.

§ 6. In addition to the persons and officers by law entitled to a copy of the Revised Statutes, one copy shall be given and distributed by the secretary of state to the late acting governor of Kentucky, to each senator and representative of the general assembly of the present session, and to the presiding officer of the senate, and the officers of each house.

§ 7. In the publication of the Revised Statutes, the commissioners are directed, in cases where there are two sections the same, and where there are two conflicting sections, to strike out one of them, upon submitting the matter to the governor, and obtaining his consent.

And the question being taken on the adoption of the same, it was decided in the affirmative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz:



## Those who voted in the affirmative, were

Mr. Speaker, (Robertson,)	Thomas R. Givens,	William McMillan,
William Bailey,	William C. Grier,	William C. McNary,
Joseph H. Barlow,	David Griggs,	Barnett C. Moran,
James P. Bates,	Grant Green,	Robert O. Morgan,
John S. Boyd,	Charles J. Helm,	Samuel M. Moore,
Charles M. Briggs,	Alvin Herndon,	William F. Moore,
A. H. Bryan,	Thomas Hagins,	Thomas J. Nash,
Joshua F. Bullitt,	Benjamin F. Hume,	William T. Samuels,
Curtis F. Burnam,	William G. Jackson,	Green Sterett,
Isaac Burnett,	John G. James,	Lawrence S. Trimble,
John Calvert,	Henry S. Johnson,	Thornton Triplett,
Charles G. C. Canby,	Benjamin H. Kerrick,	Francis Troutman,
Jonathan Davis,	John B. Laffoon,	John S. Williams,
Francis U. Dodds,	John J. Landrum,	Alex. H. Willingham,
Ellis Duncan,	Joseph H. Lewis,	James C. Wilmore,
James Edelin,	Opie J. Lindsay,	Francis H. Winfrey,
Price Edrington,	Henry D. McHenry,	Chas. G. Wintersmith—53.
David Elms,	George R. McKee,	

## Those who voted in the negative, were

Granville C. Alfred,	Willis S. Chaplin,	Thomas F. Marshall,
William C. Anderson,	John A. Keith,	Joel W. Sallee—7.
Robert M. Carlisle,		

*Resolved*, That the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to establish an additional Justices' district No. 7, in McCracken county.

An act to authorize the County Court of Bracken to discontinue the state road from Augusta to Brooksville.

An act for the benefit of district No. 4, in Grant county.

An act for the benefit of Harry Stratton.

An act to incorporate Compass Lodge, No. 223, of Free and Accepted Masons.

An act to amend the charter of the Nicholasville and Jessamine Turnpike Road Company.

An act to create the offices of Police Judge and Marshal of the town of Mount Vernon.

An act fixing the rates of toll on Muldrow's Hill, and provide for collecting the same

An act to charter the Kentucky and Virginia Railroad Company.

An act to incorporate the Williamstown and Falmouth Turnpike or Plank Road Company.

An act in relation to the Louisville and Portland Railroad.

An act for the benefit of Ezekiel Brashears, late Clerk of Letcher county.

An act for the benefit of James Bevins.

With amendmentss to the two last named bills.

A bill from the Senate, entitled, an act to provide for the compensation of the commissioners on the code of practice, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker (Robertson,)	Ellis Duncan,	William McMillan,
Granville C. Alfred,	James Edelin,	William C. McNary,
William Bailey,	Thomas R. Givens,	Barnett C. Moran,
Joseph H. Barlow,	David Griggs,	Robert O. Morgan,
James P. Bates,	Grant Green,	Samuel M. Moore,
John S. Boyd,	Charles J. Helm,	William F. Moore,
Charles M. Briggs,	Alvin Herndon,	Thomas J. Nash,
A. H. Bryan,	Benjamin F. Hume,	William T. Samuels,
Joshua F. Bullitt,	William G. Jackson,	Green Sterett,
Curtis F. Burnam,	John G. James,	Lawrence S. Trimble,
Isaac Burnett,	Henry S. Johnson,	Thornton Triplett,
John Calvert,	John A. Keith,	Francis Troutman,
Charles G. C. Canby,	Benjamin H. Kerrick,	John S. Williams,
Robert M. Carlisle,	John B. Laffoon,	Alex. H. Willingham,
Willis S. Chaplin,	Joseph H. Lewis,	James C. Wilmore,
Jonathan Davis,	Opie J. Lindsay,	Francis H. Winfrey,
Francis U. Dodds,	Henry D. McHenry,	Chas. G. Wintersmith—51.

Those who voted in the negative, were

William C. Anderson,	Thomas F. Marshall,	Joel W. Sallee,
David Elms,	George R. McKee,	Isaac N. Shepperd—7.
William C. Grier,		

*Resolved*, That the title thereof be as aforesaid.

An engrossed bill, entitled, an act for the benefit of Benjamin F. Maxfield, of Boone county, was read the third time.

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing their disagreement to the amendment proposed by this House, to a bill from the Senate, entitled, an act to provide for printing and publishing the Revised Statutes, and compensating the commissioners.

And that they had passed a bill from this House, entitled,

An act for the benefit of Benjamin F. Maxfield, of Boone county.

A bill from the Senate, entitled, an act amending the code of practice, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed,

The question was then put on reading said bill a third time.

And after some discussion had thereon,

The House adjourned.

FRIDAY, JANUARY 9, 1852.

Bills from the Senate, of the following titles, viz :

An act to provide for the annexation of the town of Portland to the city of Louisville.

An act to provide for compensation to extra clerks.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Briggs, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz :

An act to incorporate the Licking River Navigation Company.

An act to amend the charter of the Nicholasville and Jessamine Turnpike Road Company.

An act to amend the charter of the Augusta, Cynthiana, and Georgetown Turnpike Road Company.

An act for the benefit of Harry Stratton.

An act amendatory of an act to incorporate the Danville, Somerset, and Knoxville Railroad Company.

An act fixing the rate of toll on Muldrow's Hill, and to provide for collecting the same.

An act to incorporate Adams' Fork Lodge, No. 179.

An act to charter the Knob Lick Turnpike Road Company.

An act to incorporate North Middletown Royal Arch Chapter, No. 26, and Morrison Lodge, No. 103, of Free and Accepted Masons.

An act to meet the deficit in the treasury.

An act declaring Robinson's creek a navigable stream.



- An act for the benefit of district No. 4, in Grant county.
- An act in relation to the blind children of Kentucky.
- An act to repeal an act, entitled, an act to empower the trustees of Williamsburg to sell a part of a street in said town.
- An act to change the voting place in district No. 3, in Hart county.
- An act concerning common schools in the city of Lexington.
- An act to change the time of holding the August term of the Laurel quarterly county court.
- An act for the benefit of the Sheriffs of Owen and Bracken counties.
- An act for the benefit of the Maysville and Mountsterling Turnpike Road Company.
- An act to change a road in Simpson county.
- An act for the benefit of the late Sheriffs of Taylor and Oldham counties.
- An act to change the boundary of Magistrates' and Constable's district No. 4, in Breckinridge county.
- An act fixing the time of holding the Court of Claims in Fayette county, and certain terms of the Jessamine County Court.
- An act to incorporate Herman Division, No. 17, I. O. O. F.
- An act for the benefit of the town of Danville.
- An act for the benefit of Benjamin F. Maxfield, of Boone county.
- An act to incorporate Napoleon Division, No. 260, Sons of Temperance.
- An act to incorporate Warsaw Division, No. 59, Sons of Temperance.
- An act declaring Wolf creek navigable.
- An act for the benefit of the Sheriff of Anderson county.
- An act concerning the road and bridge fund of Whitley county.
- An act to change the lines of Justices' district No. 1, in Laurel county.
- An act for the benefit of the Taylor's Mill Turnpike Road Company.
- An act for the benefit of the 6th road district in Kenton county.
- An act to authorize the County Court of Bracken to discontinue the state road from Augusta to Brooksville.
- An act to establish the Police Court of Hillsboro', in Fleming county.
- An act to incorporate the Turkey Foot Turnpike Road Company.
- An act to incorporate the Frankfort Woolen Company.
- An act to amend an act, entitled, an act to amend the revenue laws, approved February 10, 1845.
- An act to amend the charter of the Frankfort and Lawrenceburg Turnpike Road Company.
- An act to incorporate the Paducah Farmers Warehouse Company.
- An act to incorporate the Covington Literary Association, and to amend

an act approved December, 1830, incorporating the Madison Library Company.

An act to change the mode of working roads in Daviess county.

An act to incorporate the Kentucky River Navigation Company.

An act to establish a tobacco inspection at Paducah.

An act authorizing the Judge of the Pendleton County Court to alter or change any election or Justices' district or place of voting in said county.

An act to change the boundary line of Justices' district No. 8, in Daviess county.

An act to amend the charter of the Winchester and Paris Turnpike Road Company.

An act to incorporate Daniel Boone Division, No. 35, Sons of Temperance.

An act to incorporate the Williamstown and Falmouth Turnpike or Plank Road Company.

An act to incorporate the Newport and Maysville Railroad Company.

An act to authorize the Judge of the Spencer Circuit Court to administer the oath of office in vacation to a deputy clerk.

An act to amend the boundary of Justices' district No. 3, in Taylor county.

An act appropriating the revenue of Muldrow's Hill turnpike road to Taylor county.

An act to incorporate Union Division, No. 42, Sons of Temperance.

An act to establish an additional Justices' district No. 7, in McCracken county.

An act for the benefit of the Fleming County Court.

An act to incorporate Compass Lodge, No. 223, of Free and Accepted Masons.

An act for the benefit of the Bowlinggreen and Tennessee Railroad Company.

An act to amend the charter of the town of Bowlinggreen.

An act changing the county and quarterly courts of Perry and Letcher counties.

An act to amend an act, entitled, an act to incorporate the Nashville and Cincinnati Railroad Company.

An act authorizing the establishment of a road in Morgan county.

An act to incorporate the New Orleans and Ohio Railroad Company.

An act to amend an act, entitled, an act to incorporate the Louisville and Nashville Railroad Company, and the act amendatory of the same, approved March 20, 1851.

- An act to incorporate the town of Kiddville, in Clarke county.
- An act to incorporate the Lexington and Big Sandy Railroad Company.
- An act to incorporate Crittenden Division, No. 17, Sons of Temperance.
- An act to authorize the clerks of the Nelson and Washington County Courts to cross index certain records.
- An act in relation to the Louisville and Portland Railroad.
- An act to create the offices of Police Judge and Marshal in the town of Greenville, in Muhlenburg county.
- An act authorizing the County Judge of Oldham to alter Lagrange district.
- An act to allow the guardians of the Louisville City Alms House to apprentice certain poor children.
- An act creating a new district in the county of Pike.
- An act allowing an additional Magistrates' and Constable's district in Pulaski county.
- An act to charter the Kentucky and Virginia Railroad Company.
- An act to charter the Lexington and Kentucky River Railroad Company.
- An act to change Justices' district No. 2, in Spencer county.
- And bills, which originated in the Senate, of the following titles, to-wit:
- An act to authorize the sale of parsonages in Green and Muhlenburg counties.
- An act to provide for compensation to extra clerks.
- An act to provide for the annexation of the town of Portland to the city of Louisville.
- An act to incorporate the General Association of Baptists in Kentucky.
- An act to incorporate Devotion Lodge, No. 160, of Free and Accepted Masons.
- An act to change the time of holding the quarterly courts for the county of Bath.
- An act to incorporate the Versailles and Woodford County Railroad Company.
- An act to authorize the trustees of the town of Uniontown to license coffee-houses.
- An act to regulate the roads of Knox county.
- An act for the benefit of Jarvis Jackson, of Laurel county.
- An act to establish a part of the line between the counties of Lawrence, Pike, and Floyd.



An act to provide for the registration of births, deaths, and marriages, in Kentucky.

An act to charter the Mountsterling and Paris Railroad Company.

An act to increase the powers of the Marshal of New Liberty.

An act changing the time of holding the quarterly terms of the County Judge of Wayne.

An act giving additional powers to the trustees of Richmond.

An act allowing public arms to the Kentucky Military Institute and Western Military Institute.

An act to change the line of Clay and Harlan counties.

An act to incorporate the Pikeville Turnpike Road Company.

An act for the benefit of Milton Johnson, and others.

An act to authorize the appointment of persons to serve process in the justices' courts of the city of Louisville.

An act to incorporate the Danville, Somerset, and Knoxville Railroad Company.

An act to incorporate the Union Agricultural and Mechanical Association.

An act to incorporate the Hall of Simpson Benevolent Lodge, No. 177, Ancient Free and Accepted Masons.

An act to amend the act incorporating the town of Mountsterling, and to provide for the appointment of a watchman for the said town, and for the county of Montgomery.

An act for the benefit of the children of Alexander Hammond, deceased.

An act to authorize the election of a Police Judge, Marshal, and a Tax Commissioner in the town of Columbus.

An act for the benefit of Wm. S. Parker, late Sheriff of Lewis county.

An act for the benefit of James M. Todd, Sheriff of Lewis county.

An act to provide for the compensation of the commissioners on the code of practice.

An act to amend the charter of the city of Augusta.

An act for the benefit of the Sheriff of Mason county.

An act to incorporate the German Protestant Orphan Asylum Company.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act for the benefit of John Crume.

An act to authorize the sale of the Methodist Parsonage, in Salvisa, in Mercer county.

An act declaring certain newspapers authorized to publish legal advertisements.

An act to incorporate the town of Sharpsburg.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr. Briggs inform the Senate thereof.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act to provide for the publication of the Revised Statutes, and other laws.

The said bill was then read the first time.

And the question being taken on orderingsaid bill to be read a second time, it was decided in the negative; and so the said bill was disagreed to.

On motion of Mr. McKee,

*Ordered*, That the committee on the Judiciary be discharged from the further consideration of all business before them.

On motion of Mr. Wintersmith,

*Ordered*, That the committee on Revised Statutes be discharged from the further consideration of all business before them.

On motion of Mr. McNary,

*Ordered*, That the committee on Internal Improvement be discharged from the further consideration of all business before them.

On motion of Mr. Herndon,

*Ordered*, That the committee on Religion be discharged from the further consideration of all business before them.

On motion of Mr. Caldwell,

*Ordered*, That the committee on County Courts be discharged from the further consideration of all business before them.

Mr. Burnett, from the committee on Ways and Means, asked to be discharged from the further consideration of all business before them, which was granted.

On motion of Mr. Winfrey,

*Ordered*, That the committee on Propositions and Grievances be discharged from the further consideration of all business before them.

The House took up the resolutions read and laid on the table by Mr. N. Green, from the committee on the Penitentiary.

The said resolutions were then amended, by striking out the second; and as amended were twice read, and adopted.

The Speaker having retired from the chair, Mr. W. F. Moore moved the following resolution, viz:

*Resolved*, That the thanks of this House be tendered to the Hon. Geo. Robertson, for the dignified, urbane, and impartial manner in which he has discharged the duties of Speaker of the House during the present session.

Which was unanimously adopted.

Mr. N. Green moved the following resolution, viz :

*Resolved*, That the public printers forward to each member of the house one hundred copies of the titles and synopsis of the acts passed during the present session of the general assembly.

Which was adopted.

Mr. N. Green moved the following resolution, viz :

*Resolved*, That the thanks of this house are due and hereby tendered to Thomas J. Helm, J. M. S. McCorkle, Joseph Gray, R. Bolling, and Ben. Hardin, jr., for the able, efficient, and courteous manner in which they have discharged their respective duties of clerk, assistant clerk, sergeant-at-arms, and doorkeeper of this house.

Which was unanimously adopted.

Mr. Samuels moved the following resolution, viz :

*Resolved*, That the thanks of this house are hereby tendered to the various clergymen who attended and opened the sessions of this house with prayer.

Which was unanimously adopted.

Mr. Mitchell moved the following resolution, viz :

*Resolved*, That the thanks of this house be tendered to Mr. George W. Lewis, the gentlemanly reporter of the Commonwealth and Kentucky Yeoman newspapers, for his very correct and impartial reports of our proceedings.

Which was unanimously adopted.

A message was received from the Governor, by Mr. METCALFE, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and resolutions, which originated in this House, of the following titles, to-wit :

An act to amend the charter of the Perryville and Springfield Turnpike Road Company.

An act to charter Union Lodge, No. 10, I. O. O. F., Nicholasville.

An act to fix the time of holding the circuit courts in the 8th judicial district.

An act concerning the public records of the Bracken County Court.

An act to give additional power to the Madison County Court.

An act to incorporate the town of New Haven.

Approved January 3, 1852.

An act incorporating the Napoleon and Big Bone Lick Turnpike Road Company.

An act for the benefit of the town of Dycusburg, in Crittenden county.

An act to authorize the people of Fayette to provide for the erection of a new court house.

An act to incorporate the Lexington and Cumberland Railroad Company.



An act for the benefit of John Riley.

An act to amend the city charter of Covington.

An act incorporating the Peoples' Hydropathic, Literary, and American Reform College of Kentucky.

An act to establish the Parochial School of Elkton, Todd county.

An act for the benefit of the Sheriff of Grant county.

An act to establish the offices of Police Judge and Town Marshal in the town of Milburn, in Ballard county.

An act to allow an additional Magistrates' and Constable's district in Owsley county.

An act repealing the law requiring the Wayne County Court to erect and keep a stray pound.

An act to amend the charter of the Kentucky Female Orphan School.

An act to authorize the town of Columbus to take and hold stock in the Ohio and Mobile Railroad Company.

An act authorizing the Judge of the Hart County Court to hold a July term of said court, and regulate the time of holding the Boyle County Court.

An act to authorize the County Court of McCracken to levy an *ad valorem* tax to build a court house and jail.

An act to amend and reduce into one the several acts relating to the town of Glasgow.

An act to establish the county of Powell.

An act for the benefit of John Bell, jr.

An act making additional voting places in districts Nos. 3 and 7, and changing the place of voting in district No. 4, in Greenup county.

An act for the benefit of the Sheriff of Caldwell county.

An act for the benefit of the Sheriff of Bath county.

An act regulating the fees and duties of the sealer of weights and measures in Jefferson county.

An act to amend an act incorporating the Bardstown Female Academy.

An act to authorize the County Court of Harrison county to borrow money.

An act to authorize the County Court of Allen to re-district election precincts, and establish an additional Justices' district and election precinct in said county.

Resolution respecting salutes on the 8th of January and 22d of February.

Resolution in relation to the inspection of pork, flour, and tobacco, in New Orleans.

An act to incorporate the Crab Orchard and Mount Vernon Turnpike Road Company.

An act incorporating the Louisville locomotive works.

An act to authorize the county of Hickman to take and hold stock in the Ohio and Mobile Railroad Company.

An act for the benefit of the infant heirs of Elisha M. Ford, deceased.

An act to amend an act, entitled, an act to extend the limits of the town of Hopkinsville, approved February 4, 1846.

An act to authorize the town of Paducah to subscribe stock in certain railroads.

An act to incorporate the Newport Fuel Company.

An act to authorize the County Court of McCracken to subscribe stock in certain railroads.

An act to incorporate Albion Female Collegiate Institute.

An act to charter the Hamilton and Union Turnpike Road Company.

An act in relation to the districts in Franklin county.

An act to amend an act, entitled, an act prescribing the means and mode of opening and working roads in Boone county.

An act to incorporate Adams' Fork Lodge, No. 179.

An act to incorporate certain turnpike companies in the county of Garrard.

An act to amend the charter of the Louisville and Elizabethtown Turnpike Road Company.

An act to incorporate the Nashville and Cincinnati Railroad Company.

An act for the benefit of the Kentucky Institution for the Education of the Blind.

An act to incorporate the town of Calhoon, in Daviess county.

An act for the benefit of the Louisville and Covington Railroad Company.

An act for the benefit of Gallatin County Academy, and common school district No. 1, in Carroll county.

An act to charter the Hamilton Turnpike Road Company.

An act to amend an act, entitled, an act to charter the city of Louisville, approved March 24, 1851, and for other purposes.

An act to incorporate the Peoples' Turnpike Road Company.

An act to incorporate the Maysville and Blue Run Plank or Turnpike Road Company.

An act for the benefit of the heirs of James Gay, deceased.

An act authorizing James Haggard to solemnize marriages.

An act for the benefit of the Sheriffs of Henry, Owen, Knox, Perry, and Wayne counties.

An act to extend the corporate limits of the town of Henderson, in Henderson county.

An act to grant certain privileges to the Dutch Ridge Turnpike Road Company.

An act to incorporate the Presbyterian Academy of Greenville.

An act for the benefit of George W. Lewis.

Approved January 7, 1852.

An act for the benefit of the Sheriffs of Owen and Bracken counties.

An act for the benefit of the Maysville and Mountsterling Turnpike Road Company.

An act to change a road in Simpson county.

An act for the benefit of the late Sheriffs of Taylor and Oldham counties.

An act to meet the deficit in the treasury.

An act declaring Robinson's creek a navigable stream.

An act to incorporate the Turkey Foot Turnpike Road Company.

An act to incorporate the Paducah Farmers Warehouse Company.

An act to incorporate the Covington Literary Association, and to amend an act approved December, 1830, incorporating the Madison Library Company.

An act to incorporate Daniel Boone Division, No. 35, Sons of Temperance.

An act to amend the charter of the Winchester and Paris Turnpike Road Company.

An act to change the boundary line of Justices' district No. 8, in Daviess county.

An act authorizing the Judge of the Pendleton County Court to alter or change any election or Justices' district or place of voting in said county.

An act to establish a tobacco inspection at Paducah.

An act fixing the rate of toll on Muldrow's Hill, and to provide for collecting the same.

An act to create the offices of Police Judge and Marshal of the town of Mount Vernon.

An act to incorporate North Middletown Royal Arch Chapter, No. 26, and Morrison Lodge, No. 103, of Free and Accepted Masons.

An act to charter the Knob Lick Turnpike Road Company.

An act amendatory of an act to incorporate the Danville, Somerset, and Knoxville Railroad Company.

An act for the benefit of Harry Stratton.

An act to amend the charter of the Nicholasville and Jessamine Turnpike Road Company.

An act to amend the charter of the Augusta, Cynthiana, and Georgetown Turnpike Road Company.



An act to incorporate Warsaw Division, No. 59, Sons of Temperance.

An act declaring Wolf creek a navigable stream.

An act to change the mode of working roads in Daviess county.

An act to amend an act, entitled, an act to amend the revenue laws, approved February 10, 1845.

An act to amend the charter of the Frankfort and Lawrenceburg Turnpike Road Company.

An act to change the voting place in district No. 3, in Hart county.

An act to repeal an act, entitled, an act to empower the trustees of Williamsburg to sell a part of a street in said town.

An act in relation to the blind children of Kentucky.

An act for the benefit of district No. 4, in Grant county.

An act to incorporate the Kentucky River Navigation Company.

An act to change the time of holding the August term of the Laurel quarterly county court.

An act concerning common schools in the city of Lexington.

An act to incorporate the Licking River Navigation Company.

An act fixing the time of holding the Court of Claims in Fayette county, and certain terms of the Jessamine County Court.

An act to change the boundary of Magistrates' and Constable's district No. 4, in Breckinridge county.

An act for the benefit of the town of Danville.

An act to incorporate Herman Division, No. 17, I. O. O. F.

An act to incorporate Napoleon Division, No. 260, Sons of Temperance.

An act for the benefit of Benjamin F. Maxfield, of Boone county.

An act concerning the road and bridge fund of Whitley county.

An act for the benefit of the Sheriff of Anderson county.

An act for the benefit of the Taylor's Mill Turnpike Road Company.

An act to change the lines of Justices' district No. 1, in Laurel county.

An act for the benefit of the 6th road district in Kenton county.

An act to authorize the County Court of Bracken to discontinue the state road from Augusta to Brooksville.

An act to establish the Police Court of Hillsboro', in Fleming county.

An act to incorporate the Frankfort Woolen Company.

An act appropriating the revenue of Muldrow's Hill turnpike road to Taylor county.

An act to change Justices' district No. 2, in Spencer county.

An act to amend the boundary of Justices' district No. 3, in Taylor county.

An act to authorize the Judge of the Spencer Circuit Court to administer the oath of office in vacation to a deputy clerk.

An act for the benefit of the Fleming County Court.

An act to establish an additional Justices' district No. 7, in McCracken county.

An act to incorporate Crittenden Division, No. 17, Sons of Temperance.

An act to incorporate the Lexington and Kentucky River Railroad Company.

An act to amend an act, entitled, an act to charter the Louisville and Nashville Railroad Company, and the act amendatory of the same, approved March 20, 1851.

An act to charter the Kentucky and Virginia Railroad Company.

An act to amend the charter of the town of Bowlinggreen.

An act changing the county and quarterly courts of Perry and Letcher counties.

An act for the benefit of the Bowlinggreen and Tennessee Railroad Company.

An act to incorporate Compass Lodge, No. 223, of Free and Accepted Masons.

An act authorizing the establishment of a road in Morgan county.

An act to amend an act, entitled, an act to incorporate the Nashville and Cincinnati Railroad Company.

An act creating a new district in the county of Pike.

An act to allow the guardians of the Louisville City Alms House to apprentice certain poor children.

An act authorizing the County Judge of Oldham to alter Lagrange district.

An act to incorporate the town of Kiddville, in Clarke county.

An act to incorporate the Newport and Maysville Railroad Company.

An act to create the offices of Police Judge and Marshal in the town of Greenville, in Muhlenburg county.

An act to incorporate Union Division, No. 42, Sons of Temperance.

An act in relation to the Louisville and Portland Railroad.

An act to authorize the clerks of the Nelson and Washington County Courts to cross index certain records.

An act allowing an additional Magistrates' and Constable's district in Pulaski county.

An act to incorporate the Williamstown and Falmouth Turnpike or Plank Road Company.

An act to incorporate the Lexington and Big Sandy Railroad Company.

An act to incorporate the New Orleans and Ohio Railroad Company.

Approved January 9, 1852.

A message was received from the Senate, announcing that they had received official information from the Governor, that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Commercial Bank of Paducah.

An act concerning certain public books.

An act to change the line of the Justices' and Constables' districts Nos. 1 and 3, in Green county.

An act for the benefit of Samuel Woodson, late Clerk of the Hopkins Circuit Court.

An act to add the residence of George Spegall, in Pendleton county, to the county of Kenton.

An act to amend an act, entitled, an act to provide for the sale of Island No. 4, in the Mississippi river, approved February 29, 1848.

An act to establish an additional Justices' district and election precinct in Nicholas county.

An act for the benefit of Samuel P. Lasley, and Mary his wife.

An act to establish an election precinct in Keysburg, in Logan county.

An act to establish the town of Stylesville, in Pulaski county.

An act further to regulate the town of Mount Gilead, in Pulaski county.

An act to create an additional Constable's and Justices' district in Hickman county.

An act to incorporate the Owingsville and Poplar Plains Turnpike Road Company.

An act to change the boundaries of certain election precincts in Trigg county, and for other purposes.

An act authorizing the Russell County Court to sell clerk's office furniture.

An act to incorporate the Louisville Farmers Tobacco Warehouse Company.

An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

An act for the benefit of Monroe county.

An act establishing additional voting places in Kenton and Campbell counties.

An act to incorporate the Owingsville and Mountsterling Turnpike Road Company.

An act for the benefit of George S. Gravit, late Sheriff of Grant county.

An act to incorporate the town of Sparta, in Owen county.



An act to change the time of holding Justices' courts in the county of Bracken.

An act to enlarge Magistrates' and Constable's district No. 2, in Hopkins county.

An act to incorporate the Franklin Female Institute.

An act to re-establish a portion of the line between the counties of Hickman and Graves.

An act for the benefit of the Covington and Lexington Railroad Company.

An act to incorporate Pleasant Grove Division, No. 253, in Trimble county.

An act for the benefit of common school districts in this commonwealth.

An act to authorize the County Court of Simpson to take and hold stock in a railroad or railroads.

An act to amend an act, entitled, an act to establish the town of Brooklyn, in Campbell county, approved February 27, 1849.

An act to authorize the county of Graves to hold railroad stock.

An act for the benefit of common school district No. 34, at Petersburg.  
Approved January 3, 1852.

An act to divide Hopkins county into seven Magistrates' and Constables' districts.  
Approved January 5, 1852.

An act supplemental to an act to amend an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850, and for other purposes.

An act for the benefit of school districts Nos. 28 and 29, in Mercer county.

An act to incorporate the Frankfort and Midway Turnpike Company.

An act to authorize the County Court of Daviess, and other counties so disposed, to subscribe stock in the Louisville and Mississippi Railroad Company, and in the Louisville and Nashville Railroad Company.

An act to amend an act, entitled, an act to charter the town of Simpsonville, in Shelby county.

An act for the benefit of the Louisville and Oldham Turnpike Road Company.

An act for the benefit of school district No. 29, in Owen county.

An act for the benefit of the Clerk of the Hardin Circuit Court.

An act for the benefit of the administrator of Dixon Givens, deceased.

An act to establish a sinking fund for the county of Bourbon, and to provide for the appointment of commissioners therefor.

An act to amend an act, entitled, an act to incorporate the Georgetown and Louisville Branch Railroad.

An act to authorize the county of Henry to subscribe stock in the Louisville and Covington Railroad.

An act to amend the charter of the Covington and Lexington Railroad Company.

An act allowing an additional Magistrates' and Constable's district in Morgan county.

An act to incorporate the Phoenix Insurance Company, at Lexington.

An act for the benefit of the Police Judges of the towns of Hickman and Owenton.

An act to incorporate Mills' Point Lodge, No. 120, of Free and Accepted Masons.

An act for the appropriation of money.

An act fixing the time of holding the circuit courts in the 12th judicial district.

An act to incorporate the Baptist Church of Lancaster, Garrard county.

An act to legalize surveys in Knox and Clay counties.

An act requiring the Clerk of the Mercer Circuit Court to index and cross index certain record books.

An act calling a convention in the city of Newport.

An act to amend an act incorporating certain turnpike roads in Garrard county.

An act to allow a Police Judge and Town Marshal to the town of Cornishville, in Mercer county.

An act in relation to the Harrodsburg, Cane Run, and Big Spring Turnpike Road Company.

An act to authorize the Oakland plank road company to construct a branch road.

An act giving Julius Hacker, Sheriff of Owsley county, further time to return his delinquent list.

A resolution authorizing the Clerks of the Senate and House of Representatives to employ assistants.

An act changing the time of holding the Estill and Franklin Circuit Courts.

An act for the benefit of the Deaf and Dumb Asylum of Kentucky.

An act explanatory of an act approved March 24, 1851, entitled, an act to charter the city of Louisville.

An act to amend an act to take the sense of the people of Owsley county, for the purpose of changing the county seat of said county.

An act to repeal all laws authorizing the County Court of Perry county to remove the mill dam of James Johnston across the Middle Fork of the Kentucky river.

Approved January 7, 1852.

An act to provide for compensation to extra clerks.

An act to provide for the annexation of the town of Portland to the city of Louisville.

An act to provide for an additional Magistrates' district, No. 9, in Caldwell county.

An act to establish and incorporate the town of Bloomington, in Franklin county.

An act to authorize the sale of parsonages in Green and Muhlenburg counties.

An act for the benefit of Jarvis Jackson, of Laurel county.

An act to provide for the registration of births, deaths, and marriages in Kentucky.

An act to incorporate Devotion Lodge, No. 160, of Free and Accepted Masons.

An act to incorporate the General Association of Baptists in Kentucky.

An act to incorporate the Versailles and Woodford County Railroad Company.

An act to provide for the compensation of the commissioners on the code of practice.

An act to authorize the trustees of the town of Uniontown to license coffee-houses.

An act to establish a part of the line between the counties of Lawrence, Pike, and Floyd.

An act to regulate the roads of Knox county.

An act declaring certain newspapers authorized to publish legal advertisements.

An act for the benefit of James M. Todd, Sheriff of Lewis county.

An act for the benefit of Wm. S. Parker, late Sheriff of Lewis county.

An act to authorize the election of a Police Judge, Marshal, and a Tax Commissioner in the town of Columbus.

An act for the benefit of the children of Alexander Hammond, dec'd.

An act to amend the act incorporating the town of Mountsterling, and to provide for the appointment of a watchman for the said town, and for the county of Montgomery.

An act to incorporate the Hall of Simpson Benevolent Lodge, No. 177, Ancient Free and Accepted Masons.

An act to incorporate the Union Agricultural and Mechanical Association.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act for the benefit of John Crume.

An act allowing public arms to the Kentucky Military Institute and Western Military Institute.



An act changing the time of holding the quarterly terms of the County Judge of Wayne.

An act giving additional powers to the trustees of Richmond.

An act to increase the powers of the Marshal of New Liberty.

An act to charter the Mountsterling and Paris Railroad Company.

An act to incorporate the Danville, Somerset, and Knoxville Railroad Company.

An act for the benefit of Milton Johnson, and others.

An act to amend the charter of the city of Augusta.

An act to authorize the appointment of persons to serve process in the justices' courts of the city of Louisville.

An act to incorporate the town of Sharpsburg.

An act to change the time of holding the quarterly courts for the county of Bath.

An act for the benefit of the Sheriff of Mason county.

An act to change the line of Clay and Harlan counties.

An act to incorporate the Pikeville Turnpike Road Company.

An act to incorporate the German Protestant Orphan Asylum Company.

An act to authorize the sale of the Methodist Parsonage, in Salvisa, in Mercer county.

Approved January 9, 1852.

A message was received from the Senate by Mr. McHenry, announcing that they had closed their legislative business, and were now ready to close the present session of the general assembly by an adjournment, on their part, without day; and had appointed a committee on their part, to act in conjunction with a similar committee on the part of this house, to wait on the governor, and to inform him of the proposed adjournment of the general assembly, and to know of him if he had any other or further communication to make.

Whereupon, Messrs. McNary, Triplett, and Duncan, were appointed the committee on the part of this house.

*Ordered*, That Mr. McNary inform the Senate thereof; and that this house had also closed their legislative business, and were now ready to close the present session of the general assembly by an adjournment without day.

The committee then retired; and after a short time returned, when Mr. McNary reported that said committee had performed the duty assigned them, and were informed by the governor that, having, from time to time during the present session, communicated his views to the general assembly, he had now no further communication to make.

Whereupon, the Speaker having delivered a valedictory address, adjourned the house without day.



# INDEX

TO

## THE JOURNAL OF THE HOUSE OF REPRESENTATIVES.

THE FIGURES REFER TO THE PAGES.

- Academy, Bardstown Female, an act to amend the charter of the 375,  
446, 478, 506
- Cynthiana Female, a bill to charter the 316, 348, 397, 412, 421
- Florence, a bill in relation to the 269, 278, 346, 447
- Gallatin county, a bill for the benefit of the 428, 493, 507  
petition of Trustees of 406
- Presbyterial of Greenville, an act to charter the 258, 318, 397,  
493, 508
- Accounts of Executors, Administrators, and Guardians, an act to  
regulate the settlement of 85
- Adair county, petition of citizens of 57, 165, 265, 326  
—see School districts.
- Adams Fork Lodge—see Lodges.
- Adams, Stephen, a bill for the benefit of 84, 119, 178, 205, 252
- Administrators and executors, an act to regulate the duties of 85, 144,  
167, 179, 240
- Agricultural Association, Union, a bill to charter the 296, 376, 461, 503,  
514
- Agriculture, an act to establish the State Board of 407, 476
- Agriculture and Manufactures, committee on appointed 31
- Albion Female College, a bill to charter the 256, 285, 479, 507
- Allen County Court—see Courts, County.
- Alexander, William, a bill for the benefit of 168, 237, 326, 367, 420
- Allowances to Masters, Auditors, and Commissioners in Chancery,  
an act to repeal act regulating the 50
- Anderson county, petition of citizens of 434
- Anderson, Erie, petition of 434
- Appeals and writs of error, a bill to allow in criminal cases 136



- Appeals from Judges of County Courts, a bill to allow 375, 457  
 Appeals from orders of County Courts, fixing ferry rates, an act al-  
     lowing 122, 123, 220, 271, 285  
     from Justices, a bill allowing to either party 136  
 Appellate Court, committee on appointed 32  
 Appropriation of money, an act for the 417, 438, 439, 464, 480, 489, 513  
 Arms, public, an act allowing to the Kentucky and Western Mili-  
     tary Institutes 314, 377, 475, 503, 514  
 Assembly, General, an act to change the time of the meeting of the  
     26, 323, 339, 367, 419  
     resolution to protract the session of beyond  
         sixty days 282, 325, 333, 406  
     resolution to fix day for final adjournment of  
         the 182, 363, 379, 406, 415, 432, 433  
     resolution for a recess of the 230, 271, 273, 280,  
         281, 314  
     resolution in relation to the *legislative* days of  
         the 271, 272, 273, 274, 275, 279, 280  
     adjournment of, *sine die* 515  
 Assessors of tax in Madison, Logan, and Bath counties, a bill for  
     the benefit of 180, 226  
 Association, General, of Baptists, an act to incorporate the 204, 278, 493,  
     502, 514  
 Association, Union Agricultural and Mechanical, an act to charter  
     the 296, 376, 461  
 Asylum, Blind, resolution to appoint committee to examine 36, 44, 87,  
     125  
     committee to examine appointed 53  
     report of committee on the 266  
     an act for the benefit of the 36, 161, 162, 269, 343, 407,  
         434, 490, 507  
     petition of the 353  
 Deaf and Dumb, general report of the 57  
     —see Legislative Documents.  
     resolution to appoint committee to exam-  
         ine 35, 44, 87, 125  
     committee to examine appointed 53  
     report of the committee on the 418  
     a bill for the benefit of the 413, 434, 489, 513  
 Asylum, German Protestant, an act to charter the 372, 378, 476, 503, 515  
 Asylum, Lunatic, resolution to appoint committee to examine 35, 44, 87,  
     125  
     committee to examine appointed 53  
     report of the committee on, 344  
     report of superintendent of the 396  
     —see Legislative Documents.  
 Asylum, Second Kentucky Lunatic, resolution to appoint a commit-  
     tee to examine 60, 75, 106  
     report of the commissioners of  
         the 250  
     an act for the completion of the 332,  
         397, 412, 421

- Attorneys, County, a bill to prohibit the from speculating in county claims 177, 180, 212
- Auditor of Public Accounts, condensed report of 25  
 —see Legislative Documents.  
 communication from the 413  
 report of, showing the accounts of the Lunatic Asylum for 1851 415  
 —see Legislative Documents.  
 resolution calling on the for proceedings of the Commissioners of the Sinking Fund 73  
 response of the 79
- Augusta and Brooksville—see Roads, State.
- Augusta, Cynthiana, and Georgetown Turnpike—see Roads, Turnpike.
- Augusta—see cities.
- Baker, Blake, petition of 353
- Baker, Solomon, leave of absence granted to 328
- Bakers, Messrs., invited to sing in Hall 294
- Bank, Commercial, of Paducah, an act supplemental to act to charter the 398, 407, 411, 422, 511
- Commercial, of Paducah, an act to charter the 381, 382, 401, 425, 511
- Farmers' of Woodford, a bill to charter the 365
- Kentucky Trust Company, a bill to amend charter of 27, 39, 108, 369, 373, 412, 422
- Newport Safety Fund, a bill to amend the charter of the, 289, 360, 397, 412, 421
- memorial of the directors of the 158
- Southern, of Kentucky, an act to amend the charter of the 121, 126, 174
- Union of Kentucky, at Milton, a bill to charter the 381, 465, 474
- Banking, free, a bill to authorize
- Bank Lick Turnpike—see Roads, Turnpike.
- Banks, Committee on appointed 31  
 report of Committee on, 407. [See Legislative Documents.]  
 a bill to appoint commissioners to examine, &c. 406  
 a bill in relation to bonds of officers of 257, 417
- Bane, Cleaton, leave of absence granted to 310
- Baptists, a bill to charter the general association of 204, 278
- Baptist Church—see Church.
- Baptist Education Society—see Education Society.
- Barbour, a bill to establish the county of 113, 220, 240
- Bardstown Female Academy—see Academy.
- Bardstown Herald, a bill to declare an authorized newspaper 365
- Barren and Edmonson counties, a bill to run and mark the lines between 35, 49, 82, 87, 124
- Barren county, petition of citizens of 149, 165, 283, 326, 331  
 remonstrance of citizens of 195, 203, 234
- Barren county—see Courts, County.  
 —see Justices' Courts.  
 —see School Districts.

- Bates, James P., nominated for Speaker 5  
     votes for, 6, 6, 7  
     withdrawn 8
- Bath county, an act to authorize to take road stock 398  
     —see Courts, County.  
     —see Courts, Quarterly.  
     —see Court of Claims.  
     —see Sheriffs.
- Bell, John, jr., a bill for the benefit of 121, 134, 140, 226, 426, 478, 506
- Betts, John, a bill for the benefit of 204, 278, 326, 447
- Bevins, James, a bill for the benefit of 365, 463, 498
- Big Bone Lick and Napoleon Turnpike—see Roads Turnpike.
- Billiard Tables, a bill to license, &c. 51, 291, 292
- Births, Marriages, and Deaths, a bill to provide for the Registration  
     of 61, 189, 462, 488, 503, 514
- Blandville—see Towns
- Blind children of Kentucky, a bill in relation to the 462, 490, 500, 509
- Bloomington—see towns
- Board of Internal Improvement, annual report of the 396  
     —see Legislative Documents.  
     communication of President of 79  
     resolution calling on President of,  
         for information 429  
         response of President of 448
- Boards for trying contested election, a bill allowing appeals from 188
- Boats, a bill to extend the act providing for taking up on the Ohio  
     river 46, 39, 57, 86, 124
- Bolling, Richard R., nominated for Door Keeper 10  
     votes for 10, 11, 12  
     elected 12  
     thanks of House returned to 505
- Books, Public, an act concerning certain 269, 278, 341, 424, 511
- Boone county, petition of citizens of 265, 284  
     —see Courts, County.  
     —see Districts of Justices and Constables.  
     —see Election Precincts.  
     —see School Districts.
- Boonville—see Towns.
- Bourbon county, a bill to organize the Sinking Fund of 226, 278, 346,  
     480, 512  
     —see Courts, County.  
     —see Districts of Justices and Constables.
- Bowlinggreen and Tennessee Railroad—see Railroads.
- Bowlinggreen—see Towns.
- Boyle county, petition of County Judge and Justices of 47, 275  
     —see Courts, County.
- Boyle Lodge—see Lodges.
- Bracken county, petition of citizens of 194, 219, 219, 234, 240
- Bracken county—see Courts, County.  
     —see Clerks.  
     —see Justices Courts.  
     —see Roads, State.



- Brandenburg—see Towns.  
 Brashears, Ezekiel, a bill for the benefit of 365, 463, 497  
 Braxdall, John Jr., an act for the benefit of the children of 26, 33, 56,  
 87, 125,  
 Breading, Elisha, a bill for the benefit of 113, 204, 251, 311  
 Breathitt and Owsley counties, a bill allowing the, to vote a Road  
 tax 365  
 Breathitt county—see Sheriffs.  
 Breckinridge county, petition of citizens of 47, 219, 225, 234, 240, 335,  
 413  
 —see Courts, County.  
 —see Districts of Justices and Constables.  
 —see Election Precincts.  
 Breckinridge, Rev. Dr. R. J., resolution requesting to deliver an ad-  
 dress 284  
 Bridge Company, Newport and Cincinnati, an act to charter 40, 49, 58,  
 132, 137, 159, 162, 172, 201  
 Newport and Covington, an act to charter, 59, 217,  
 313, 400, 420  
 Bridges, William A., a bill for the benefit of 253  
 Briggs, Benjamin R., a bill for the benefit of 349, 381, 399, 421  
 petition of 335  
 Brooklyn—see Towns.  
 Brookville Lodge—see Lodges.  
 Bryantsville—see Towns.  
 Burdsall, Jenny L. and Lucy A., a bill for the benefit of 364  
 Burgess, Timothy, petition of 53, 72  
 Bullitt, Joshua F., nominated for Speaker 5  
 votes for 6, 7, 8  
 withdrawn 8  
 Burlington—see Towns.  
 Burnett, Isaac, appeared and took his seat, 8  
 Bussing, John, a bill for the benefit 73  
 Butler county—see Sheriffs.  
 Butler, Gen. William O., nominated for U. S. Senator 91  
 votes for 91, 92, 100  
 joint votes for 92, 93, 101  
 withdrawn from nomination 101  
 Butler, Robert, a bill for the benefit of 230, 399, 420  
 petition of 166  
 Caldwell county, petition of School Trustees in 164, 199  
 —see Districts of Justices and Constables.  
 —see Election Precincts.  
 —see School Districts.  
 —see Sheriffs.  
 Caldwell, Hon. Geo. A., nominated for U. S. Senator 101  
 votes for 101  
 joint vote for 102  
 withdrawn 102  
 Calhoon, James C., act for the benefit of 108, 125, 165, 173, 202  
 Calhoon—see Towns.

- Calloway county, petition of citizens of 96, 312  
 Calloway county—see School Districts.  
 Calvert, John, leave of absence granted to 199, 345  
 Campbell county, act in relation to the poll tax in 331, 397, 399, 421  
     —see Courts, County.  
     —see Courts, Quarterly.  
     —see Election Precincts.  
     —see School Districts.  
     —see Sheriffs.  
 Campbell Female College—see College.  
 Campbell, John, petition of 186  
 Campbell, Wm. R., nominated for Doorkeeper 10  
     votes for 10, 11, 12  
 Campbellsville—see Towns.  
 Capitol Square, a bill to provide for fencing the 50, 55  
     resolution to appoint a committee in relation to in-  
     closing the 182  
 Carman, E., petition of 25  
 Carroll county, petition of citizens of 25, 149, 179  
     —see Districts of Justices, &c.  
 Carrolton and Eagle Creek—see Roads Turnpike.  
 Carter and Greenup counties, a bill to change the line between 109, 160  
     197  
 Carter Circuit Courts—see Courts, Circuit.  
 Caseyville Lodge—see Lodges.  
 Cemetery Company, Richmond, an act to amend the charter of the 290  
     346, 266, 419  
 Centre Point Meetinghouse in Monroe county, a bill to incorporate  
     the Trustees of the 36, 39, 49, 86, 124  
 Chancery Court of Covington, a bill to establish 158, 346  
 Chancery and Criminal Terms in Logan and Monroe counties, a bill  
     to repeal the 214, 215  
 Chapter, McClure, of R. A. Masons, a bill to charter, 61, 118, 137, 173,  
     201  
     North Middletown, No. 26, a bill to charter 428, 481, 499, 508  
 Children, Blind—see Blind Children.  
 Chilton, John, petition of 265  
 Christian county—see election precincts.  
     petition of citizens of 249, 295, 328, 406  
     a bill to change time of Chancery Court in 107, 111, 140,  
     208  
     a bill to repeal law in relation to fees for collecting  
     the revenue of 315  
     —see Districts of Justices, &c.  
     —see School Districts.  
 Church, Baptist of Lancaster, an act to incorporate the 417, 475, 492,  
     513  
 Circuit Courts, committee on appointed 32  
     —see Courts, Circuit.  
 Cities, Augusta 296, 376, 461, 503, 515  
     Covington 224, 265, 312, 348, 397, 478, 560

- Cities, Lexington 77, 78, 141, 176, 180, 205, 239, 249, 352, 339, 397, 412, 422  
 Louisville 203, 316, 318, 349, 398, 430, 456, 457, 462, 490, 493, 507, 513  
 Maysville 203  
 Newport 84, 165, 165, 180, 205, 219, 230, 276, 289, 313, 326, 327, 346, 366, 366, 377, 419, 419, 426, 428, 489, 494, 513  
 Newport, a bill to authorize opening of streets and alleys in 494  
 City Hall of Covington, an act to allow sales of real estate at the door of the 242, 285, 311, 360  
 Claims, committee on appointed 29  
 Clarke, Beverly L., nominated for U. S. Senator 102  
 votes for 102  
 joint votes for 103  
 withdrawn 103  
 Clarke county, petition of citizens of 47, 149, 166  
 petition of justices of 159  
 —see Courts, County.  
 —see School Districts.  
 —see Sheriffs.  
 Clarke, Francis M., a bill for the benefit of 258  
 Clarke, James W., petition of 33  
 Clay and Harlan counties, a bill to define the line between, 398, 475, 503, 515  
 Clay and Knox counties, a bill to establish the lines between 250, 278, 326, 447  
 an act to legalize surveys in 457  
 Clay, Hon. Henry, letter of resignation of 338  
 Clay Lodge—see Lodges.  
 Clayvillage—see Towns.  
 Clerks and Sheriffs, a bill to repeal the act to repeal all acts allowing pay to for *ex officio* services 51, 76, 99, 364  
 Clerks, extra, a bill to provide for the compensation of 494, 499, 502, 513  
 Clerks of the Senate and House of Representatives, resolution to allow the to employ assistants 398, 416, 490, 513  
 Clerks of the Circuit and County Courts, an act for the benefit of the late 55, 88, 137, 173, 202  
 Clerks, acts for the benefit of the following, viz:  
 of Bracken 259  
 of Daviess 160, 368, 407  
 of Hardin 364, 407, 430, 512  
 of Henderson 135, 180, 226, 251, 312  
 of Jefferson 434  
 of Lawrence 476  
 of Logan 160, 167, 226, 251, 312  
 of Mercer 313, 376, 482, 489, 513  
 of Nelson 326, 375, 457, 502, 510  
 of Owen 178, 277, 340, 447  
 of Washington 375, 457, 502, 510  
 Clinton Circuit Court—see Courts, Circuit.  
 Coal Haven Coal Mining Company, a bill to charter the 381, 387, 412, 422



- Coal Haven Manufacturing Company, a bill to charter the 381, 387, 412, 422
- Code of Practice, Committee on, appointed 33  
 report of the Commissioners on the 192  
 a bill to amend the 85, 193, 196, 480, 498  
 a bill to repeal the 26, 491
- College, Albion Female, an act to charter the 256, 285  
 Campbell Female, a bill to charter the 40, 55, 78, 146, 172, 202  
 Forrest Spring, an act to charter the 40, 89, 149, 262, 172, 202  
 People's Hydropathic Literary and American Reform Medical, act to charter the 114, 134, 407, 478, 506
- Collins, Elizabeth, a bill for the benefit of the devisees of 161, 181
- Collins, Hester D., an act for the benefit of 417
- Columbus and Tennessee river—see Roads, State.
- Columbus—see Towns,
- Commercial Bank of Paducah—see Banks.
- Commissioners of Common Schools, a bill to allow further time to  
 and trustees to make reports 78  
 a bill to allow to make new  
 districts 259, 318, 477
- Commissioners of the Code of Practice, an act to compensate the 491, 498, 503, 514
- Commissioners to examine the Banks &c., an act to authorize the  
 Governor to appoint 406
- Commissioners to revise the Statutes, report of the 130
- Commissions, a bill to dispense with to certain officers 176, 277, 340, 367, 447
- Common School Fund, a bill to increase the 73  
 a bill to secure to each county its full portion of the 99  
 a bill to levy an additional tax to increase the 176, 180
- Common School Laws, a bill to amend the 40, 84, 109, 109  
 a bill to repeal an act to amend the 74, 316  
 a bill to amend an act to amend the 257
- Common Schools, a bill concerning the in Lexington 99, 180, 493, 493, 500, 509  
 a bill for the benefit of in Estill county 360, 397, 411, 422  
 a bill concerning the, in McCracken county 258
- Common School System, a bill in relation to the 258, 318
- Committees, Standing, appointed :  
 on Agriculture and Manufactures 31  
 on Appellate Court 32  
 on Banks 31  
 on Circuit Courts 32  
 on Claims 29  
 on Code of Practice 33  
 on County Courts 33  
 on Education 30  
 on Enrollments 33

Committee, Standing, on Expenditures of Board of Internal Im-	
provement	30
on Federal Relations	32
on Internal Improvement	30
on Judiciary	29
on Library	31
on Military Affairs	30
on Penitentiary	31
on Privileges and Elections	29
on Propositions and Grievances	28
on Public Offices	32
on Public Printing	32
on Religion	29
on Revised Statutes	33
on Sinking Fund	31
on Ways and Means	30
Compass Lodge—see Lodges.	
Compensation of extra clerks, an act to provide for the	494, 499, 502, 513
Compromise acts, resolutions approving of the	363
Concealed weapons, a bill to prevent the practice of carrying	40, 149,
	158, 188, 326, 363
Congressional Districts, resolutions to appoint a committee on	28
committee on appointed	46
resolutions instructing the committee on	254, 361
report of committee in response to resolu-	
tions	293, 373
a bill to divide the state into	373, 382, 384, 426,
	439, 440, 441, 442, 443, 444, 445, 453, 454, 455,
	458
resolution in relation thereto, offered by the	
committee	294
resolution to retain the present	314
Connell, Ben. P., nominated for Door-keeper	10
votes for	11
withdrawn	11
Constables and Justices of the Peace, a bill to change the time of	
electing	73, 174, 250, 278, 331
Constables, act repealing all laws allowing to appoint deputies	173, 208
in Covington, act to allow to appoint deputies	44, 52, 77,
	98, 132
in Louisville, a bill to elect additional	182
in Madison, a bill to allow to appoint deputies	36, 55, 76
in Pulaski, a bill allowing to appoint deputy	36, 39
Contested Elections, a bill to allow appeals in	188
Conventional Interest, a bill to authorize a rate of, of ten per cent.	
	27, 39, 125, 310, 341, 342
Cook Benevolent Institution, a bill to amend the charter of the	160, 318,
	476
Cornishville—see Towns.	
Corporations, resolutions in relation to digest of the powers of the	
charters of the	369
County Courts, committee on appointed	33

- County Courts, committee on discharged from business 482, 504  
 —see Courts, County.
- Court of Appeals, committee on appointed 32  
 a bill to branch the, and fix the time of holding 40, 214
- Court of Claims, acts fixing time of the in the following counties, viz :  
 in Bath 160, 174, 207, 251, 312  
 in Fayette 427, 457, 500, 509  
 in Mason 159, 195, 204, 253  
 in Oldham 136, 160, 195, 204, 253  
 in Shelby 207, 278, 329, 447
- Courts, Circuit, a bill to amend the act allowing the to decree sales  
 of estates of infants, &c. 61, 72, 107  
 a bill to amend the act allowing the to grant changes  
 of venue 220, 276, 278, 333, 338  
 a bill to amend the act fixing the time of holding  
 the 259, 318, 400, 420  
 a bill to regulate the time of the in the 12th dis-  
 trict 135, 417, 475, 492, 513  
 a bill to fix the time of the in the 8th district 135, 324,  
 347, 407, 425, 505  
 a bill to change the time in the 10th district 182, 218  
 a bill to change the time of the in the 1st district 109  
 acts, &c., concerning the in the following counties,  
 viz :  
 Carter, 136, 168  
 Clinton 199, 220, 251, 312  
 Crittenden 72, 108  
 Cumberland 199, 220, 251, 312  
 Daviess 136, 153, 195, 277, 297  
 Estill 352, 378, 413, 429, 435, 489, 513  
 Fleming 114, 119, 175, 204, 253  
 Franklin 413, 429, 435, 489, 513  
 Harlan 41, 44, 54  
 Harrison 290, 367, 419  
 Livingston 72, 108  
 Mason 316  
 Muhlenburg 136, 153, 195, 277, 296  
 Ohio 136, 153, 195, 296  
 Owsley 41, 44, 54  
 Spencer 481, 494, 501, 509  
 Woodford 25, 26, 28, 34, 36
- Courts, County, a bill to increase the jurisdiction of the Presiding  
 Judges of the 257  
 an act allowing judges of to change voting places 74, 83  
 an act regulating changes of venue from 57, 74, 88, 107,  
 132, 169  
 an act to amend the act organizing the 27, 33, 51, 61,  
 83, 84, 141, 173, 194, 202, 206, 256  
 a bill to provide for a uniform practice in the 84, 218  
 Allen, a bill allowing to re-district county 315, 331, 397,  
 478, 506



- Courts, County, Barren, an act to change time of 367  
     a bill to repeal act allowing to take railroad  
     stock 82, 87, 111, 123, 174, 208
- Boone, act to allow to change precincts 142
- Bourbon, a bill requiring to subscribe railroad stock 82,  
     87, 111, 123, 140, 208
- Boyle, act to authorize to sell public lot 72, 107, 137,  
     173, 202
- Bracken, a bill to allow to change a road 428, 497, 500,  
     509  
     a bill allowing to lay levy in November 82, 87,  
     96, 132  
     a bill concerning records of 397, 425, 505
- Breckinridge, a bill to establish July and April terms  
     of 255, 317, 397, 412, 421
- Campbell, a bill to allow to establish ferries at New-  
     port 135, 153, 159, 205, 212
- Clarke, a bill to allow to subscribe for works of in-  
     ternal improvement 168, 229, 311, 360
- Crittenden, act allowing to change a road 40, 59, 106,  
     131, 201
- Daviess, a bill to legalize proceedings of 119, 141, 172,  
     202  
     an act to allow to subscribe for railroad  
     stock 352, 378, 427, 479, 512
- Fleming, an act allowing special term of the 207, 218,  
     252, 253, 327  
     a bill for benefit of the 427, 494, 501, 510
- Franklin, a bill to subscribe road stock 121, 123, 166, 176
- Garrard, a bill to change the time of the 316, 360, 397,  
     412, 422
- Graves, a bill allowing to subscribe railroad stock 256
- Green, a bill to regulate time of 57, 74, 140, 208
- Harrison, a bill to allow to borrow money 315, 348, 398,  
     426, 478, 506
- Hickman, a bill to allow to take railroad stock 238, 242
- Hart, a bill to authorize a July term of the 316, 398,  
     417, 426, 478, 506
- Jefferson, a bill concerning the records of the 149, 158,  
     216, 252, 327
- Jessamine, a bill fixing times of the 427, 457, 500, 509
- Kenton, an act to allow quarterly terms of, in Cov-  
     ington 229, 311, 360
- Larue, a bill to repeal all laws allowing to subscribe  
     railroad stock 114, 119, 139, 159, 172, 202
- Letcher, a bill changing time of 329, 463, 492, 501, 510
- Madison, a bill to give additional power to the 237, 240,  
     326, 345, 425, 505
- McCracken, act allowing to subscribe railroad stock 51,  
     182, 230, 271, 416, 479, 507  
     a bill to allow to levy *ad valorem* tax 310,  
     368, 407, 478, 506

- Courts, County, Nelson, a bill to repeal act allowing to take railroad stock, 82, 111, 123, 174, 208
- Ohio, a bill to allow to establish precincts 41, 44, 53, 175, 182, 205, 230, 252
- a bill to legalize proceedings of the 109
- Oldham, a bill to allow to change Lagrange district 161, 296, 489, 502, 510
- Owen, a bill to allow to change a road 36, 39, 57, 86, 125
- Pendleton, a bill allowing to change voting precincts, &c. 375, 490, 493, 501, 508
- Perry, an act to repeal act to allow to remove a mill dam 398, 475, 492, 492, 513
- a bill to change times of the 176, 277, 329, 447, 463, 501, 510
- Russell, a bill to authorize to lay additional levy 256, 369, 447
- act to authorize to sell clerk's office furniture 327, 377, 425, 511
- Simpson, an act to authorize the to take and hold railroad stock 352, 369, 380, 424, 512
- Taylor, a bill allowing to build workhouse 258, 347
- Union, a bill to legalize proceedings of 494
- Wayne, a bill allowing to appoint Deputy Constable 27, 39
- authorized to sell stray pen, &c. 224, 230, 259, 310, 419, 360, 396, 408, 416, 478, 506
- Courts, Quarterly, of Presiding Judges of County Courts, acts &c. concerning the following, viz :
- Bath 398, 488, 502, 515
- Campbell 256, 367, 447
- Daviess 315, 361, 398, 412, 421
- Garrard 316, 360, 397, 412, 422
- Henry 188, 277, 329, 447
- Johnson 188, 277, 329, 447
- Kenton, an act to allow the holding of the, in Covington 229, 311, 360
- Laurel 364, 427, 494, 500, 509
- Letcher 365, 463, 492, 501, 510
- Logan 178, 277, 331, 346, 367, 447
- Pendleton 83, 118, 130, 201
- Perry 176, 277, 329, 365, 447, 463, 492, 501, 510
- Russell 44, 52, 130, 208
- Wayne 457, 475, 503, 515
- Covington and Eminence Railroad—see Railroads.
- Covington and Lexington Railroad—see Railroads.
- Covington and Louisville Railroad—see Railroads.
- Covington City Hall, an act allowing sales of real estate at the door of the 242, 285, 311, 360
- Covington Library Association, a bill to charter the 364, 382, 446, 500, 508
- Covington—see cities.

# INDEX.

529

- Covington—see Constables.
- Cox, Hezekiah, added to the committee on Education 60
  - leave of absence granted to 345
- Coyle, Martin, a bill for the benefit of 161
- Crab Orchard and Crews' Knob—see Roads, Turnpike.
- Crab Orchard and Mt. Vernon—see Roads, Turnpike
- Crab Orchard—see Towns.
- Craig, Andrew, petition of 139
- Craig, E. S., added to the committee on the Revised Statutes 54
- Criminal cases, a bill to allow appeals in 136
- Criminal proceedings, an act to amend the law regulating 206, 287
- Crittenden Circuit Court—see Courts, Circuit.
- Crittenden county, petition of citizens of 225
- Critten county—see Courts, County.
  - see Districts of Justices and Constables.
  - see Election Precincts.
  - see School Districts.
- Crittenden, Hon. J. J., nominated for U. S. Senator 110, 115
  - votes for 115
  - joint vote for 115
  - withdrawn 110, 145
- Crume, John, an act for the benefit of 296, 376, 489, 503, 514
- Cumberland Circuit Court—see Courts, Circuit.
- Cumberland county, remonstrance of citizens of 166, 194
  - petition of the bar of 178, 326
- Cumberland county—see School Districts.
  - see Sheriffs.
- Cumberland Hospital, Report of the Trustees of the 325
- Curd, Joseph, an act for the benefit of 120, 134, 219, 251, 312
- Cynthiana and Millersburg—see Roads, Turnpike.
- Cynthiana Female Academy—see Academy.
- Daniel, Travis, an act for the benefit of 242, 416
  - petition of 194
- Danville, Somerset, and Knoxville Railroad—see Railroads.
- Danville—see Towns.
- Daviess Circuit Court—see Courts, Circuit.
- Daviess County, a bill to allow, &c., to take railroad stock 352, 378, 427
  - petition of citizens of 225
  - see Courts, County.
  - see Courts, Quarterly.
  - see Clerks.
  - see Districts of Justices and Constables.
  - see election precincts.
- Davis, Johathan, leave of absence granted to 415
- Davis, William, an act for the benefit of 188, 277, 347, 367, 447
- Deaf and Dumb Asylum, annual report of the 57
  - see Legislative Documents.
  - resolution to appoint a committee to examine 35, 44, 87, 125
  - committee to examine appointed 53
  - a bill for the benefit of the 413, 434, 489, 513



- Deaf and Dumb Asylum, report of the committee appointed to examine the 418
- Deaths, Births, and Marriages, a bill to provide for the registration of 61, 189, 462, 488, 503, 514
- Decisions of the Court of Appeals, a bill to regulate the mode of reporting the 317
- Deficit in the treasury, a bill to meet the 382, 491, 494, 499, 508
- Depositions, an act to authorize Justices and others to take 346, 377, 462
- Democratic Convention, use of Hall tendered to the 491
- Deputy Constables, an act to repeal all laws allowing the appointment of 173, 208
- Descent and Distribution, a bill to amend the law of 160, 179
- District, Common School—see School Districts.
- Districts, Congressional—see Congressional Districts.
- Districts of Justices and Constables—acts, &c., concerning, in the following counties, viz:
- |              |  |
|--------------|--|
| Boone        | 270, 399, 421                          |
| Bourbon      | 50                                     |
| Breckinridge | 428, 457, 500, 509                     |
| Carroll      | 167, 174, 220, 251, 312                |
| Caldwell     | 50, 131, 201, 275, 278, 427, 489, 514  |
| Campbell     | 314, 377, 424, 511                     |
| Christian    | 26, 34, 56, 87, 125                    |
| Crittenden   | 270, 399, 421                          |
| Daviess      | 364, 428, 494, 401, 508                |
| Franklin     | 315, 331, 348, 479, 507                |
| Grant        | 428, 497, 500, 509                     |
| Green        | 346, 378, 425, 511                     |
| Greenup      | 40, 55, 326, 426, 478, 506             |
| Hancock      | 270, 397, 411, 422                     |
| Harrison     | 270, 399, 420                          |
| Hart         | 428, 490, 500, 509                     |
| Henderson    | 331, 381, 399, 420                     |
| Hickman      | 326, 377, 425, 511                     |
| Hopkins      | 296, 372, 376, 378, 424, 425, 512, 512 |
| Jefferson    | 429, 491                               |
| Kenton       | 314, 377, 424, 511                     |
| Knox         | 41, 49, 82, 87, 124                    |
| Laurel       | 463, 492, 500, 509                     |
| Lawrence     | 257, 368, 398, 412, 421                |
| Lewis        | 205, 311, 360                          |
| Lincoln      | 119, 149, 173, 202, 331, 381, 399, 420 |
| Logan        | 315, 331, 399, 421, 424, 511           |
| Madison      | 205, 257, 270, 311, 360, 399, 421      |
| McCracken    | 427, 497, 501, 510                     |
| Meade        | 51, 59, 82, 87, 124                    |
| Morgan       | 241, 278, 329, 480, 513                |
| Muhlenburg   | 168, 229                               |
| Nicholas     | 352, 378, 424, 511                     |
| Oldham       | 161, 296, 489, 502, 510                |
| Owsley       | 160, 181, 196, 416, 478, 506           |

Districts of Justices and Constables—acts, &c., concerning, in the following counties, viz :

Pendleton	375, 490, 493, 501, 508
Pike	463, 492, 502, 510
Pulaski	205, 489, 502, 510
Taylor	481, 494, 501, 509
Trigg	76, 106, 131, 201, 425, 511

Divisions of the Sons of Temperance, acts chartering the following, viz :

Carthage, No. 208	256, 339
Crittenden, No. 17	316, 368, 493, 502, 510
Daniel Boone, No. 35	428, 493, 501, 508
Fleming, No. 259	256, 270
McKee, No. 112	364
Minerva, No. 64	257, 257, 318
Napoleon, No. 260	481, 490, 500, 509
New Castle, No. 144	257, 381
Paintsville, No. 104	463
Pleasant Grove, No. 253	339, 377, 424, 512
Proctor, No. 205	135, 167, 207, 251, 312
Union, No. 210	315, 368
Union, No. 42	316, 368, 493, 501, 510
Warsaw, No. 59	481, 490, 500, 509
Wayne, No. 176	259, 259, 319

Dixon, Hon. Archibald, nominated for U. S. Senator, 91, 387  
 votes for 91, 92, 100, 101, 103, 115, 144, 145, 147,  
 388, 389, 390, 391, 393, 394, 395  
 joint votes for 92, 93, 101, 102, 104, 115, 145,  
 146, 148, 388, 389, 390, 392, 393, 394, 395  
 withdrawn from nomination 247  
 elected Senator 396

Dollerhide, Col. Thomas, a bill to place a tomb over the grave of 182,  
 368, 397, 412, 421

Dudley, B. G., an act for the benefit of 240, 278, 347, 367, 446

Duncansville—see Towns.

Dunn, George, an act for the benefit of 45, 56, 86, 124

Dutch Ridge Turnpike—see Roads, Turnpike.

Dycusburg—see Towns.

Eagle Creek and New Liberty—see Roads, Turnpike.

East Maysville—see Towns.

Easton, W. A., petition of 335

Edmonson and Barren counties, a bill to run and mark the lines be-  
 tween 35, 49, 82, 87, 124

Edmonson county—see Sheriffs.

Education, a bill to encourage the general diffusion of 149, 158, 172, 252,  
 327

resolutions passed by the convention of the friends of 132, 133

committee on appointed 30

of the Blind—see Institution, Blind.

Society, Baptist, an act to charter the 89, 111, 140, 208

Edwards, Griffin, and others, petition of 75

Election Precincts—acts, &c., concerning, in the following counties,  
viz :

Boone	142, 255, 270, 399, 421
Breckinridge	428, 457, 500, 509
Caldwell	50, 59, 131, 201, 427, 489, 514
Campbell	84, 106, 314, 377, 424, 511
Christian	26, 34, 56, 87, 125
Crittenden	270, 399, 421
Daviess	364, 428, 501, 508
Franklin	315, 331, 348, 479, 507
Grant	428, 497, 500, 509
Greenup	40, 55, 326, 426, 478, 506
Hancock	270
Hart	428, 490, 500, 509
Henderson	331, 381, 399, 420
Hickman	326, 377, 425, 511
Hopkins	372, 378, 424, 425, 512, 512
Jefferson	200, 229, 257, 313, 367, 420, 429, 491
Kenton	314, 377, 424, 511
Knox	41, 49, 82, 87, 124
Laurel	463, 492, 500, 509
Lawrence	257, 368, 398, 412, 421
Lewis	182, 221, 311, 360
Letcher	257, 318, 397, 412, 421
Lincoln	331, 381, 399, 420
Logan	315, 331, 327, 377, 399, 421, 424, 511
Louisville City	41, 119, 269
Madison	270, 311, 360, 399, 421
McCracken	427, 497, 501, 510
Meade	51, 59, 82, 87, 124
Muhlenburg	168, 229, 313, 367, 419
Nicholas	352, 378, 424, 511
Ohio	41, 44, 53, 175, 205, 252
Oldham	161, 296, 489, 502, 510
Pendleton	375, 490, 493, 501, 508
Pike	463, 492, 502, 510
Pulaski	205, 489, 502, 510
Spencer	41, 76, 502, 509
Taylor	481, 494, 501, 509
Trigg	296, 376, 425, 511
Elections, a bill to amend the act to regulate	132, 137, 150
Elk Fork of Licking river, an act to declare navigable	205, 277, 353, 447
Elliott, John and Mary Ann, an act for the benefit of	35, 44, 56, 86, 124
Emmick, George, an act for the benefit of	221, 285, 311
Governor's veto of bill for the benefit of	329
petition of	187
Eminence—see Towns.	
Encampment, Woodford, I. O. O. F., a bill to charter the	316
Enrollments—committee on appointed	33
Enterprise Tanning and Leather Manufacturing Company, act to charter the	270, 278, 291, 367, 446



- Estates, a bill to secure the interest of heirs to, sold under decree of courts 114, 188
- Estates of infants and *femes covert*, a bill to amend the act authorizing sale of 61, 72, 107
- Estill Circuit Court—see Courts, Circuit.
- Estill county, petition of citizens of 47, 166
- petition of the bar of 75
- Estill county—see School Districts.
- Estill Springs Company, an act to charter the 60, 108, 132, 173, 201
- Exemption Laws, a bill to amend the 364, 429
- Expenditures of the Board of Internal Improvement, committee on appointed 30
- report of committee on 487
- Fairview—see Towns.
- Fair Grounds at Lexington, a bill to exempt the from taxation 160, 199
- Falmouth and Williamstown—see Roads Plank and Roads Turnpike.
- Farmers Bank of Woodford—see Bank.
- Farmers Tobacco Warehouse of Louisville—see Warehouse.
- Fayette County, a bill to build a new court house in 339, 397, 478, 505
- petition of the bar of 71, 225
- petition of citizens of 75, 113
- see Court of Claims.
- Federal Relations, committee on, appointed 32
- Fees of clerks and other officers, a bill to regulate the 50
- of surveyors, a bill to amend laws regulating 256
- Ferguson, Ann and others, petition of 53, 436
- a bill for the benefit of 53, 98, 131, 221, 226, 227, 228, 237, 435, 436
- Ferries across the Ohio, a bill to regulate 41, 44, 54, 77, 84
- a bill to allow County Court of Campbell to establish at Newport 135, 153, 159, 205, 212
- Field, Col. Ezekiel H., resolutions in relation to the death of 42, 46, 55, 82
- Fire Company, a bill to charter Washington Independent No. 1, in Maysville 241, 278, 346, 367, 446
- First, J. W. & John F., an act for the benefit of 413
- Fish, a bill to amend the act to prevent the wanton destruction of 109, 134, 150, 219
- Fish, Egbert F., petition of 295
- Fitzpatrick, Jacob, a bill for the benefit of 51, 72, 178, 205, 252
- Fleming Circuit Court—see Courts, Circuit.
- Fleming county, petition of citizens of 187, 198, 370
- a bill to close old roads in 40, 55, 88, 137, 159, 172, 202
- Fleming county—see Courts, County.
- see Roads, State.
- Flemingsburg and Mt. Carmel—see Roads, Turnpike.
- Florence Academy—see Academy.
- Florence—see Towns.
- Floyd county, petition of citizens of 353
- Floyd, Pike, and Lawrence counties, a bill to establish the lines between 398, 502, 514

- Flynn's Ferry State Road—see Roads, State.
- Ford, Elisha M., a bill for benefit of heirs of 462, 475, 479, 507  
petition of heirs of 335
- Forest Spring College—see College.
- Foxes, red, a bill to allow a premium for the scalps of 365
- Fox, William F., a bill for the benefit of 168
- Frankfort and Covington Railroad—see Railroads.
- Frankfort and Lawrenceburg—see Roads, Turnpike.
- Frankfort and Midway—see Roads, Turnpike.
- Frankfort Bar, petition of 75, 97
- Frankfort Woolen Company, an act to charter the 182, 318, 397, 500, 509
- Franklin Circuit Court—see Courts, Circuit.
- Franklin county, petition of citizens of Bald Knob precinct in 187  
petition of citizens of 335  
—see Courts, County.  
—see Districts of Justices, &c.  
—see Election Precincts.  
—see School Districts.
- Franklin Female Institute, an act to charter the 314, 376, 424, 512
- Frederici, Charles S., nominated for Doorkeeper 10  
votes for 11, 12
- Free Negroes and Mulattoes, a bill to amend the act concerning 40, 49,  
58, 106, 315, 361
- Friend, John, a bill for the benefit of 51, 72, 178, 205, 252
- Friendship Lodge—see Lodges.
- Fuel Company of Newport, an act to charter the 348, 416, 479, 507
- Funk, Peter, petition of 118
- Gallatin county Academy—see Academy.
- Gambling, a bill more effectually to suppress the practice of 339, 377
- Gardner, James E., an act for the benefit of 50, 317, 370, 421
- Garrard county—see Courts, County.  
—see Courts, Quarterly.  
—see Sheriffs.
- Garrard county Turnpikes—see Roads, Turnpike.
- Garrard, William, a bill for the benefit of 166, 207, 251, 311
- Gas Company, Newport and Covington, a bill to charter the 167
- General Assembly, an act to change the time of the meeting of the 26,  
323, 339, 367, 419  
resolution to protract session of the beyond sixty  
days 282, 325, 333, 406  
resolution to fix a day for the final adjournment  
of the 182, 363, 379, 406, 415, 432, 433, 459, 460,  
461, 482, 483, 484, 485, 486, 487, 491, 491  
resolution for a recess of the 230, 271, 273, 280, 281,  
314  
resolution in relation to legislative days of the 271,  
272, 273, 274, 275, 279, 280  
adjournment of the, *sine die* 515
- General Association of Baptists, a bill to charter the 204, 278, 493, 502,  
514
- Geological Survey of the State, a bill to authorize and provide for a 136,  
153, 237

- Georgetown and Covington—see Roads, Turnpike.  
 Georgetown and Covington State Roads—see Roads, State.  
 Georgetown and Lemons Mill—see Roads, Turnpike.  
 Georgetown and Louisville Branch Railroad—see Railroads.  
 Georgetown—see Towns.  
 German Protestant Orphan Asylum, a bill to charter the 372, 378, 476,  
 503, 515  
 Ghent and Eagle Creek—see Roads, Turnpike.  
 Ghent—see Towns.  
 Gill, Green, an act for the benefit of 417, 429  
 Givens, Dixon, an act for the benefit of the administrator of 296, 376,  
 426, 480, 512  
 Glasgow, Franklin, and Clarksville Railroad—see Railroads.  
 Glasgow—see Towns.  
 Glass, Zachariah, petition of 105  
 Godsey, James H., a bill for the benefit of 168, 174, 313, 367, 420  
 Gorch, C. D., a bill for the benefit of 182  
 Government, Seat of—see Seat of Government.  
 Governor, annual message of the 13-24  
     committee to wait on the appointed 13, 515  
     resolution referring message of the to committees 37  
     message of correcting error in Craddock Fund 57  
     message of, inclosing proceedings of convention of the  
     friends of education 132  
     message of, vetoing bill for the benefit of George Emmick 329  
     message of, on the subject of 49  
     —see Legislative Documents, page 13.  
     message of, in relation to block of marble prepared by M.  
     Pruden, for Washington Monument 54, 55  
     message of, in relation to Second Lunatic Asylum 234  
     —for documents accompanying message, see Legislative  
     Documents.  
 Grand Jurors, a bill to change mode of selecting 41, 174, 259  
 Grant and Kenton counties, an act to change the line between 331, 399,  
 421  
 Grant county, petition of citizens of 47, 265  
     —see Districts of Justices, &c.  
     —see Election Precincts.  
     —see Sheriffs  
 Grassy Creek, a bill to declare navigable 59, 106, 131, 201  
 Graves and Hickman counties, a bill to establish the line between, 165  
 277, 328, 424, 512  
 Graves county, a bill to authorize a railroad tax in 326, 376, 425, 512  
     petition of citizens of 38  
     —see Courts, County.  
     —see Sheriffs.  
     —see School Districts.  
 Gravitt, George S., an act for the benefit of 296, 376, 424, 511  
 Gay, James, a bill for the benefit of the heirs of 109, 243, 348, 397, 493,  
 507  
 Gray, Joseph, elected Sergeant at Arms, 9  
     authorized to employ B. Hardin, jr., as assistant 25



- Gray, Joseph, thanks of house returned to 505
- Grayson Springs, a bill for the benefit of the proprietors of the 257, 324
- Greasy Creek, a bill to declare navigable 59, 106, 205, 277, 353, 447
- Green county, petition of citizens of 165, 265, 326
- see Courts, County.
- see Districts of Justices, &c.
- see Sheriffs.
- Green, Norvin, nominated for Speaker 8
- votes for 8
- Green River, a bill to appoint hands to clear out obstructions in 161
- Greenup and Carter counties, a bill to change the line between 109, 160, 197
- Greenup county, petition of citizens of 166, 219, 347, 348, 353
- see Districts of Justices, &c.
- see Election Precincts.
- Greenville—see Towns.
- Grieffy's Creek, a bill to declare navigable 136, 141, 220, 251, 312
- Guardians, a bill to regulate settlements of 135
- Guardians of the Louisville City Almshouse, a bill to allow to bind out poor children 463, 492, 502, 510
- Guthrie, James, nominated for U. S. Senator 391
- votes for 391, 393, 394, 395
- joint vote for 392, 393, 394, 395
- Hacker, Julius, an act for the benefit of 417, 429, 489, 513
- Haggard, James, a bill allowing to solemnize marriages 168, 169, 216, 217, 490, 493, 507
- Hamilton and Union—see Roads, Turnpike.
- Hamilton, H., petition of 179
- Hamilton Turnpike—see Roads, Turnpike.
- Hammond, Alexander, an act for the benefit of the children of 296, 376, 488, 503, 514
- Hancock county, petition of citizens of 225, 239
- see Districts of Justices, &c.
- see Election Precincts.
- see School Districts.
- Hanson, Samuel, communication of 480
- Hardin, Ben., a bill for the benefit of 481, 494
- Hardin, Ben., jr., appointed Assistant to Sergeant-at-Arms 25
- thanks of House returned to 505
- Hardin county, petition of citizens of 47, 275, 413
- see Clerks.
- see School Districts.
- Harlan Circuit Court—see Courts, Circuit.
- Harlan, Hon. James, nominated for U. S. Senator 389, 391
- votes for 389, 391
- joint votes for 390, 392
- withdrawn 390
- Harned, Larkin, petition of 249, 326
- Harris, Erastus G., petition of 71, 88
- Harris, James F., petition of 71, 88
- Harris, James, petition of 71, 88

- Harrison, James O., nominated for Director of the Lunatic Asylum 224  
 elected 224
- Harrison and Nicholas counties, an act to change the line between 270
- Harrison Circuit Court—see Courts, Circuit.
- Harrison county, petition of citizens of 122, 203, 289  
 —see Courts, County.  
 —see Districts of Justices, &c.
- Harrisonville—see Towns.
- Harrodsburg, Cane Run, and Big Spring—see Roads, Turnpike.
- Hart county, petition of citizens of 289  
 —see Courts, County.  
 —see Districts of Justices, &c.  
 —see Election Precincts.
- Hartford—see Towns.
- Hash, Mary, a bill for the benefit of 317
- Hatfield, Ben. F., petition of 166
- Hatfield, Samuel, appeared and took his seat 46  
 added to committee on Banks 225, 327
- Hawes, John W., a bill for the benefit of 41, 59, 99, 207
- Haydon, Augustin L., petition of 71
- Haycraft, Samuel, an act for the benefit of 27, 44, 56, 87, 124
- Helm, Charles J. added to committee on Revised Statutes 54
- Helm, Hon. John L. nominated for U. S. Senator 144  
 votes for 144, 145  
 joint votes for 145, 146  
 withdrawn 247
- Helm, Thomas J., elected Clerk 9  
 thanks of House returned to 505
- Henderson and Nashville railroad—see Railroads.
- Henderson county, petition of citizens of 264, 264, 348  
 —see Clerks.  
 —see Districts of Justices, &c.  
 —see Election Precincts.  
 —see Sheriffs.
- Henderson—see Towns.
- Henry county, a bill to allow to subscribe for railroad stock 372, 382,  
 417, 480, 513  
 petition of citizens of 284  
 —see Courts, Quarterly.
- Herman Lodge—see Lodges.
- Herndon, Alvin, leave of absence granted to 199
- Herndon, John B. nominated for assistant Clerk 9, 10
- Hickman and Fulton counties, a bill to allow the citizens of to vote  
 for a railroad tax
- Hickman and Graves counties, a bill to establish the lines between 165,  
 277, 328, 424, 512
- Hickman county, an act to authorize to take and hold railroad stock 238,  
 242, 289, 479, 507  
 —see Courts, County.  
 —see Districts of Justices, &c.
- Hickman, Geo. F., an act for the benefit of 270, 397, 412, 422

- Hickman, Geo. F., petition of 225  
 Hickman Lodge—see Lodges.  
 Hillsboro'—see Towns.  
 Hise, Hon. Elijah, nominated for U. S. Senator 261, 387  
     votes for 388, 389, 390  
     joint votes for 388, 389, 390  
     withdrawn from nomination 263, 390  
 Hodges, A. G., nominated for Public Printer 221  
     votes for 221  
     joint voter for 222  
     elected Public Printer 222  
 Hodges, George, an act for the benefit of 27, 34, 54  
 Holeman, William B., nominated for Librarian 222  
     votes for 223  
     joint votes for 223  
 Homestead Exemption, a bill to establish the 36, 134, 271  
 Hopkins county—see Districts of Justices, &c.  
     —see Election Precincts.  
 Hopkinsville and Clarksville State Road—see Roads, State.  
 Hopkinsville and Louisville State Road—see Roads, State.  
 Hopkinsville—see Towns.  
 Horton, M. G., an act for the benefit of 84  
 Hospital, Cumberland, report of the Trustees of the 325  
 Howell, David, a bill for the benefit of 35, 72  
 Hughes, James R., petition of 234  
     a bill for the benefit of 238  
 Hull, H., petition of 345  
 Hundley, James H., appeared and took his seat 8  
 Importation of slaves, a bill to exempt persons from penalty for the,  
     contrary to law 417  
 Independence and Colemansville—see Roads, Turnpike.  
 Independence—see Towns.  
 Inspections of Tobacco, an act to establish at Louisville 238, 276, 412,  
     422  
     an act to establish at Paducah 176, 276, 397,  
     501, 508  
 Inspections of Tobacco, Pork, Lard, &c., resolution in relation to  
     the, at New Orleans 374, 417, 448, 506  
 Institute, Franklin Female, an act to charter the 314, 376, 424  
 Institute, Maysville Literary, an act to charter the 372, 378, 448  
 Institution for the Education of the Blind, resolution to appoint a  
     committee to examine 36, 44, 87, 125  
     report of committee on the 266  
     annual report of visitors of the  
     —see Legislative Documents.  
     an act for the benefit of the 36, 161, 162, 269, 343, 407, 434,  
     490, 507  
     petition of the 353  
 Insurance Companies, a bill to regulate the duties and responsibili-  
     ties of 120



- Insurance Company, Kentucky and Louisville Mutual, annual report of the 336  
 Phoenix, of Lexington, an act to charter 44, 44,  
 55, 59, 296, 342, 480, 513  
 Versailles, Fire, Life, and Marine, an act to  
 charter the 41, 44, 132, 137
- Interest, a bill to authorize a conventional rate of, of ten per cent. 27,  
 39, 125, 310, 341, 342
- Internal Improvement, Board of—see Board of Internal Improvement.
- Internal Improvement, Committee on appointed 30  
 discharged from business 504
- Iron Railing Fence, a bill to construct around the Capitol Square, 50, 55
- Island No. 4, in the Mississippi River, a bill to amend act directing  
 the sale of 296, 376, 425, 511
- Jackson, Francis, petition of 186
- Jackson, George W., a bill for the benefit of 365
- Jackson, Jarvis, an act for the benefit of 296, 376, 476, 502, 514
- Jackson, William G., leave of absence granted to 265, 396
- Jacobs, John A., use of Hall tendered to 360
- Jailers, an act to regulate the duties of 40, 49, 58, 88, 180, 195, 204, 253
- Jamestown—see Towns.
- Jefferson county, petition of citizens of 139, 165, 187, 188, 211, 275, 347  
 261  
 remonstrance of citizens of 361, 406
- Jefferson county—see Courts, County.  
 —see Clerks.  
 —see Election Precincts.
- Jeffersontown—see Towns.
- Jennings, Samuel B., a bill for the benefit of the children of 364
- Jenny Lind Tables, an act to license 50, 78
- Jennys' Creek, an act to declare navigable 59, 106, 131, 201
- Jessamine county, petition of bar of 118, 229  
 petition of citizens of 118, 207, 283, 348  
 —see Courts, County.  
 —see Sheriffs.
- Johnson county, petition of citizens of 44, 53, 72, 225, 88  
 —see Courts, Quarterly.  
 —see Sheriffs.
- Johnson, Isaac, an act for the benefit of 417, 429  
 Milton, an act for the benefit of 296, 376, 477, 503, 515  
 Richard, petition of 352  
 a bill for the benefit of 481, 494
- Jones, Elizabeth, an act for the benefit of 221, 399, 420  
 petition of 194  
 Leonard, memorial of 370
- Journal, correction of ordered, 131
- Judicial Districts, petition of citizens of the 9th 178  
 —For acts, &c., in relation to the several, see  
 Courts, Circuit.
- Judiciary, committee on appointed 29  
 report of, in relation to jury fees 197

Judiciary committee, report of in relation to vote of Shelby county	198
on railroad tax, &c.	504
discharged from business	142,
Judges of County Courts and Justices, a bill to require to give bond	174, 215, 216
Judges of County Courts, an act to authorize the to change voting	
places, &c.	165, 375
an act to compensate the	331
a bill to authorize appeals from	375
a bill to abolish jurisdiction of, in sums of	
£5 and under	41
a bill to regulate the fees of	41
a bill to authorize the substitution of one	
for another in certain cases	60, 72, 108
Jurors, a bill allowing pay to, before Justices of the Peace	126, 136, 188
	235, 236, 265, 276, 286
a bill allowing a peremptory challenge to the Commonwealth	
of five	61, 206, 287
Grand, a bill to change the mode of selecting	41, 174, 259
Jury Law, a bill to amend the	35, 39
Justices' and Constables' Districts—acts, &c., concerning, in the	
following counties, viz:	270, 399, 421
Boone	50
Bourbon	428, 457, 500, 509
Breckinridge	167, 174, 220, 251, 312
Carroll	50, 131, 201, 275, 278, 427, 489, 514
Caldwell	314, 377, 424, 511
Campbell	26, 34, 56, 87, 125
Christian	270, 399, 421
Crittenden	364, 428, 494, 401, 508
Davies	315, 331, 348, 479, 507
Franklin	428, 497, 500, 509
Grant	346, 378, 425, 511
Green	40, 55, 326, 426, 478, 506
Greenup	270, 397, 411, 422
Hancock	270, 399, 420
Harrison	428, 490, 500, 509
Hart	331, 381, 399, 420
Henderson	326, 377, 425, 511
Hickman	296, 372, 376, 378, 424, 425, 512, 512
Hopkins	429, 491
Jefferson	314, 377, 424, 511
Kenton	41, 49, 82, 87, 124
Knox	463, 492, 500, 509
Laurel	257, 368, 398, 412, 421
Lawrence	205, 311, 360
Lewis	119, 149, 173, 202, 331, 381, 399, 420
Lincoln	315, 331, 399, 421, 424, 511
Logan	205, 257, 270, 311, 360, 399, 421
Madison	427, 497, 501, 510
McCracken	

Justices' and Constables' Districts—acts, &c., concerning, in the following counties, viz :

Meade	51, 59, 82, 87, 124
Morgan	241, 278, 329, 480, 513
Muhlenburg	168, 229
Nicholas	352, 378, 424, 511
Oldham	161, 296, 489, 502, 510
Owsley	160, 181, 196, 416, 478, 506
Pendleton	375, 490, 493, 501, 508
Pike	463, 492, 502, 510
Pulaski	205, 489, 502, 510
Taylor	481, 494, 501, 509
Trigg	76, 106, 131, 201, 425, 511

Justices and County Judges, a bill to require the, to give bond 142, 174

Justices' Courts, acts changing times of, in the following counties, viz :

Barren	35, 270, 397, 412, 421
Bracken	372, 378, 424, 512
Washington	61, 83, 118, 130, 201

Justices' Courts in Louisville, an act to appoint persons to serve process in 296, 376, 461, 503, 515

Justices' of the Peace, an act to increase the jurisdiction of 35, 44, 182, 228, 229, 288

a bill allowing pay to jurors before 126, 136, 188, 235, 236, 265, 276, 286

a bill in relation to the records of 51

a bill to authorize, to hold inquests in certain cases 206, 285, 311, 360

a bill to allow, and othess to take depositions 339, 377, 462

a bill to regulate fees of 40, 61, 72, 76, 79

Justices' Quarterly Courts, an act to regulate 195, 277, 327, 447

Keeling, Fanny, petition of 150

Keepers of Livery Stables, a bill for the benefit of 331, 396

Kenton and Grant counties, an act to change the line between 331, 399, 421

Kenton county, petition of citizens of 71, 71, 77, 96, 96, 149, 179, 203, 249, 265

—see Courts, County.

—see Courts, Quarterly.

—see Districts of Justices, &c.

—see Election Precincts.

—see School Districts.

Kenton county—see Sheriffs.

Kenton county State Roads—see Roads, State.

Kentucky and Louisville Mutual Insurance Company—see Insurance Company

Kentucky and Virginia Railroad—see Railroads.

Kentucky Baptist Education Society, act to incorporate the 89, 111, 140, 208

Kentucky Female Orphan School, a bill to amend the charter of the 200, 243, 375, 407, 478, 506



- Kentucky, Green, and Barren rivers, a bill in relation to tolls on 41, 44,  
78, 140, 206, 208, 209, 210, 211, 399, 420
- Kentucky River Navigation Company, an act to charter the 229, 413,  
426, 462, 501, 509
- Kentucky School of Medicine, an act for benefit of 224, 237, 326, 367, 419
- Kentucky Trust Company Bank—see Bank.
- Kiddville—see Towns.
- Knob Lick Turnpike—see Roads, Turnpike.
- Knox and Clay counties, a bill to establish the lines between 250, 278,  
326, 447  
an act to legalize surveys in 457, 475, 492, 513
- Knox county, a bill to appropriate land warrants in 57, 74, 140, 208  
an act to regulate the roads in 398  
—see Districts of Justices, &c.  
—see Election Precincts.
- Knox county State Roads—see Roads, State.
- Knox, David A., petition of 75  
a bill for the benefit of 107
- Laborers, a bill for the benefit of 176, 243
- Laborers and Mechanics in Madison and Woodford counties, a bill  
for benefit of 200
- Lacy, B. D., petition of 187
- Lancaster and Crab Orchard—see Roads, Turnpike.
- Lancaster Lodge—see Lodges.
- Lancaster—see Towns.
- Landes, Isaac, petition of 249
- Lands, an act requiring claimants of to establish their titles 114, 123  
a bill making it felony to sell, when vendor has no title to the 114  
141
- Lands of Railroad Companies and others, a bill requiring the fencing of 407
- Lands, sectionized, west of Tennessee River, a bill to mark the corners of the 165, 171, 187, 252, 327
- Larue county, petition of citizens of 118, 140  
—see Courts, County.  
—see School Districts.
- Lasley, Samuel P., a bill for the benefit of 352, 378, 424, 511
- Laurel county—see Courts, Quarierly.  
—see Sheriffs.
- Lawell, A., remonstrance of 119
- Lawrence Circuit Court—see Courts, Circuit.
- Lawrence county, petition of citizens of 380
- Lawrence, Pike, and Floyd counties, a bill to define the line between 398, 475, 502, 514
- Leach, James C., a bill for the benefit of the administrators of 257, 276,  
371
- Leather Manufacturing and Tanning Company, an act to charter the  
Enterprise 270, 278, 291, 367, 446
- Lebanon, New Market, and Springfield—see Roads, Turnpike.
- Lebanon—see Towns.
- Lee, Charles, leave of absence granted to 310

## 543

- |   |                              |
|---|------------------------------|
| Lenour, Hiram, a bill for the benefit of                                      | 258                          |
| Letcher county—see Courts, Quarterly.   |                              |
| —see Election Precincts.  |                              |
| —see Sheriffs.  |                              |
| Letcher, Samuel M., nominated for a Director of the Lunatic Asylum            | 228                          |
| elected   | 224                          |
| Levee, a bill to provide for constructing, from Hickman to the Tennessee line | 225, 311                     |
| Lewis county, petition of citizens of   | 203, 346                     |
| —see Districts of Justices, &c.   |                              |
| —see Election Precincts.  |                              |
| —see School Districts.  |                              |
| Lewis, George W., petition of   | 142                          |
| an act for the benefit of   | 428, 481, 492, 508           |
| admitted to seat as Reporter  | 125                          |
| thanks of House returned to   | 505                          |
| Lewis, J. H., added to the Judiciary Committee                                | 183                          |
| Lexington and Big Sandy Railroad—see Railroads.                               |                              |
| Lexington and Cumberland Railroad—see Railroads.                              |                              |
| Lexington and Danville Railroad—see Railroads.                                |                              |
| Lexington and Three Forks of Kentucky River Railroad—see Railroads.           |                              |
| Lexington, Owingsville, and Big Sandy Railroad—see Railroads.                 |                              |
| Legington Fair Grounds, a bill to exempt the, from taxation                   | 160, 199                     |
| Lexington—see cities  |                              |
| Liberty Lodge—see Lodges.   |                              |
| Librarian, a bill to authorize the, to subscribe for Newspapers &c.           | 193                          |
| Library, committee on, appointed  | 31                           |
| Covington, an act to charter the  | 364, 382, 446, 461, 500, 508 |
| Madison, act amend charter of   | 364, 382, 446, 461, 500, 508 |
| Licking River Navigation Company, an act to charter the                       | 193, 349, 462, 462, 499, 509 |
| Lien Law, Mechanics—see Mechanics Lien Law.                                   |                              |
| Limitation, act to reduce time of, in actions for land                        | 227                          |
| Lincoln county, petition of citizens of                                       | 203                          |
| —see Districts of Justices, &c.   |                              |
| —see Election Precincts.  |                              |
| Lindsey, Thomas N., petition of   | 131                          |
| Litchfield—see Towns.   |                              |
| Literary Institute—see Institute.   |                              |
| Livermore—see Towns   |                              |
| Livery Stables, an act for the benefit of the keepers of                      | 331, 396                     |
| Livingston Circuit Court—see Courts, Circuit.                                 |                              |
| Livingston county—see Sheriffs.   |                              |
| Locomotive Works of Louisville, act to charter the                            | 243, 338, 416, 479, 507      |
| Lodges, Masonic, acts incorporating the following, viz:                       |                              |
| Adam's Fork, No. 179  | 462, 475, 479, 499, 507      |
| Brooksville, No. 154  | 259, 349, 397, 411, 422      |
| Caseyville, No. 168   | 121, 134, 153, 175, 205, 252 |
| Devotion, No. 160   | 457, 488, 502, 514           |
| Compass, No. 223  | 365, 462, 497, 501, 510      |
| Hickman, No. 12   | 326                          |

- Lodges, Masonic, acts incorporating the following, viz:
- |                      |                         |
|----------------------|-------------------------|
| Lancaster, No. 104   | 364                     |
| Liberty, No. 126     | 178, 277, 340, 448      |
| Mills Point, No. 120 | 326, 377, 480, 513      |
| Morrison, No. 103    | 406, 428, 481, 499, 508 |
| Pitman, No. 124      | 136, 141, 176, 204, 253 |
| Simpson, No. 189     | 206, 285                |
| Simpson, No. 177     | 407, 488, 503, 514      |
- Lodges of I. O. O. F., acts chartering the following, viz:
- |                   |                           |
|-------------------|---------------------------|
| Boyle, No. 56     | 35, 39, 49, 86, 124       |
| Clay, No. 38      | 142, 153, 176, 205, 252   |
| Friendship, No. 5 | 57, 74, 77, 130, 208      |
| Herman, No. 17    | 428, 480, 500, 509        |
| Mangum, No. 21    | 61, 72, 87, 114, 131, 201 |
| Mason, No. 33     | 41, 59, 88, 131, 201      |
| Union, No. 10     | 316, 348, 397, 425, 505   |
|                   | 312, 312                  |
- Logan county, petition of citizens of
- see Courts, Quarterly.
  - see Clerks.
  - see Districts of Justices, &c.
  - see Election precincts.
- Louisa and Grayson—see Roads, Turnpike.
- Louisville and Covington Railroad—see Railroads.
- Louisville and Elizabethtown—see Roads, Turnpike.
- Louisville and Frankfort Railroad—see Railroads.
- Louisville and Jeffersontown Plank Road—see Roads, Plank.
- Louisville and Nashville Railroad—see Railroads.
- Louisville and Oldham—see Roads, Turnpike.
- Louisville and Portland Railroad—see Railroads.
- Louisville and Shelbyville—see Roads, Turnpike.
- Louisville and Taylorsville—see Roads, Turnpike.
- Louisville, Six Mile, and Covington Railroad—see Railroads.
- Louisville—see Constables.
- see Cities.
  - see Election Precincts.
- Lovelaceville—see Towns.
- Lunatic Asylum, Resolution to appoint Committee to examine 35, 44, 87, 125
- |   |                    |
|---|--------------------|
| Committee to examine appointed                                | 53                 |
| Report of Committee on  | 344                |
| Report of the Superintendent of the                           | 396                |
| —see Legislative Documents.                                   |                    |
| Second Kentucky, resolution to appoint a committee to examine | 60, 75, 106        |
| report of the Commissioners of the                            | 250                |
| an act for the completion of the                              | 332, 397, 412, 421 |
|   | 380                |
- Luttrell, L. S., petition of
- Madison county, petition of citizens of 165, 179, 224, 234
- see Constables.
  - see Courts, County.
  - see Districts of Justices, &c.



# INDEX.

545

- Madison county—see Election Precincts.  
 —see School Districts.
- Madison Library Company, petition of 370  
 a bill to amend charter of 382, 446, 461, 500  
 508  
 380
- Madrid Bend, petition of citizens of
- Mangum Lodge—see Lodges.
- Marion—see Towns.
- Marriages, Births, and Deaths, a bill to provide for the registration  
 of 61, 189, 462, 488, 503, 514
- Married Women, an act to amend law in relation to rights of 256
- Marshall, Hon. Humphrey, nominated for U. S. Senator 91, 144  
 votes for 92, 93, 100, 144, 145, 147  
 joint votes for 92, 93, 101, 145, 146, 148  
 withdrawn 101, 247
- Marshall, Thomas F., added to the committee on Ways and Means 52
- Marshals of Towns, acts, &c., relating to the following, viz:
- Blandville 107, 111, 140, 208
  - Booneville 182
  - Cornishville 314, 376, 463, 489, 513
  - Columbus 346, 378, 461, 503, 514
  - Greenville 275, 458, 490, 502, 510
  - Harrisonville 108
  - Hartford 85, 108, 149, 173, 201
  - Hopkinsville 188, 277, 341
  - Independence 71, 74, 140, 208
  - Lancaster 168, 339, 397, 400, 421
  - Litchfield 275, 278
  - Millburn 289, 368, 417, 478, 506
  - Mount Vernon 364, 463, 497, 508
  - New Liberty 339, 377, 461, 503, 515
  - Richmond 168, 339, 397, 400, 421
  - Rumsey 188, 277, 340, 367, 447
  - Shepherdsville 84, 108, 119, 132, 162, 172, 203
- Mason Circuit Court—see Courts, Circuit.
- Mason county, petition of County Judge and Justices 139  
 —see Courts, County.  
 —see Court of Claims.  
 —see Sheriffs.
- Masonic Lodges—see Lodges.
- Mason Lodge—see Lodges.
- Massie, Thomas, petition of 406
- Masters, Auditors, and Commissioners in Chancery, a bill to amend  
 act regulating allowances to 50
- Master Commissioners in Chancery, an act to authorize to hold the  
 County Courts in certain cases 108
- Master Commissioners in Chancery, an act to require to give bond 55, 88
- Matherly, James C., petition of 203, 220
- Maxfield, Benjamin F., a bill for the benefit of 180, 498, 498, 500, 509
- Mayfield—see Towns.
- Mayo, George W., a bill for the benefit of 364, 429, 494

- Maysville and Big Sandy Railroad—see Railroads.  
 Maysville and Blue Run—see Roads, Plank, and Roads, Turnpike.  
 Maysville and Lexington Railroad—see Railroads.  
 Maysville and Mountstering—see Roads, Turnpike.  
 Maysville Literary Institute, an act to charter 372, 378, 448  
 Maysville—see cities. 234  
 McClure, John H., petition of 9  
 McCorkle, John M. S., nominated for Assistant Clerk 9  
     votes for 10  
     elected 505  
     thanks of House returned to  
 McCracken county, act to allow to take Railroad stock 38, 225, 286  
     petition of Jailer and citizens of 118  
     petition of Sheriff of  
     —see Courts, County.  
     —see Districts of Justices, &c.  
     —see Election Precincts.  
     —see School Districts.  
     —see Sheriffs.  
 McKee, George R., nominated for Speaker 5  
     votes for 5, 6, 7  
     withdrawn 8  
 McNeal, James, a bill for the benefit of 316, 368, 407  
 Meade county, petition of citizens of 47, 225, 413  
     remonstrance of citizens of 162  
     —see Districts of Justices, &c.  
     —see Election Precincts.  
 Mechanics and Laborers, in Madison and Woodford, a bill for the benefit of the 200  
 Mechanics' Lien Law, a bill to extend the, of Louisville, to all the counties in the State 110, 113, 125, 177, 183, 184, 185, 186  
     a bill extending the, to certain counties 229, 285, 311, 360  
 Mechanics' Lien Law of Louisville, a bill to amend the 316  
 Mechanics, in Monroe, a bill for benefit of 51, 83, 132, 137, 173, 202  
 Medical Society, Kentucky State, act to charter the 27, 39, 47, 88, 131, 201  
     memorial of the 75  
 Meeting House, Centre Point, act to incorporate the Trustees of 36, 39, 49, 86, 124  
 Mercer county, a bill concerning private passways in petition of citizens of 195, 211  
 Mercer county—see Constables.  
     —see School Districts.  
 Meredith, William, an act for the benefit of 183, 243, 326, 367, 420  
 Meriwether, David, nominated for U. S. Senator 110, 144  
     votes for 115, 144, 145, 147  
     joint vote for 115, 145, 146, 148  
     withdrawn 144, 247  
 Messages of the Governor—see Governor.

- Methodist Parsonage in Green county, act allowing the sale of the 276,  
398, 488, 502, 514  
in Salvisa, act allowing sale of 339, 377, 487, 503,  
515  
in Greenville, petition of Trustees of 195, 276  
in Muhlenburg, an act allowing sale of 488, 502, 514
- Military Affairs, committee on appointed 30
- Milburn—see Towns.
- Millersburg—see Towns.
- Mills Point Lodge—see Lodges.
- Milne and Bruder's Map of Kentucky, a bill to purchase 182, 241, 296,  
321, 322
- Ministers of the Gospel, resolutions inviting the to open the House  
with prayer 28
- Ministers of the Gospel, thanks of the House returned to the 505
- Money, an act for the appropriation of 417, 438, 439, 464, 480, 489, 513
- Monroe, Andrew, added to Judiciary committee 183
- Monroe county, a bill for the benefit of 326, 377, 424, 511  
—see School Districts.  
—see Sheriffs.
- Montgomery county, petition of citizens of 47, 166, 187, 198, 434
- Moore, Samuel M., added to committee on County Courts 59
- Moran, Barnett C., leave of absence granted to 345
- Morehead, Hon. C. S., nominated for U. S. Senator 387  
votes for 388, 389, 390, 391, 393, 394  
joint votes for 388, 389, 390, 392, 393, 394  
withdrawn from nomination 395
- Morgan county, petition of citizens of 178, 265, 275  
—see Districts of Justices, &c.  
—see School Districts.
- Morgantown Seminary, an act to amend the charter of 258, 285, 400,  
420
- Morris, George W., petition of 265
- Morrison Lodge—see Lodges.
- Morrow, George H., an act for benefit of 161, 167, 168, 174, 199, 313,  
367, 420
- Mount Gilead—see Towns.
- Mount Olivet—see Towns.
- Mountsterling and Owingsville—see Roads, Turnpike.
- Mountsterling and Virginia—see Roads, Turnpike
- Mountsterling, Kiddville, Red River Iron Worke, and Irvine—see Roads,  
Turnpike.
- Mountsterling—see Towns.
- Mount Vernon—see Towns.
- Muhlenburg Circuit Court—see Courts, Circuit.
- Muhlenburg county, petition of citizens of 203, 207
- Muhlenburg county—see Districts of Justices, &c.  
—see Election Precincts.  
—see School Districts.
- Muldrow's Hill Turnpike—see Roads, Turnpike
- Muncey, D. W., a bill for the benefit of 142



- Muster, regimental, act to change the times of 40  
 Nashville and Cincinnati Railroad—see Railroads.  
 National salutes, resolutions to fire on the 8th of January and 22d  
     of February 360, 372, 449, 506  
 Neagle, John, letters of, in relation to portraits of Hon. Henry Clay  
     and Col. R. M. Johnson 104, 296  
 Nelson county, petition of citizens of 195, 239, 312, 348, 413  
     remonstrance of citizens of 203  
     —see Courts, County.  
     —see Clerks.  
 New Castle—see towns.  
 New Haven—see towns.  
 New Liberty—see Towns.  
 New Orleans and Ohio Railroad—see Railroads.  
 New Orleans, Jackson, and Northern Railroad—see Railroads.  
 Newport and Cincinnati Bridge Company—see Bridge Company.  
 Newport and Covington Bridge Company—see Bridge Company.  
 Newport and Maysville Railroad—see Railroads.  
 Newport Fuel Company, an act to charter the 348, 416, 479, 507  
 Newport Safety Fund Bank—see Bank.  
 Newport—see Cities.  
 Newspapers, certain, an act declaring, authorized to publish legal  
     advertisements 464, 503, 514  
 Nicholas county, petition of citizens of 118, 234  
     —see Districts of Justices, &c.  
     —see Election Precincts.  
 Nicholas Turnpike—see Roads, Turnpike.  
 Nine and Ten Pin Alleys, an act concerning 350, 406  
 Nine Pin and other Bowling Alleys, a bill to increase the tax on 61, 350,  
     406  
 Oakland Plankroad—see Roads, Plank.  
 Obstructions on Railroads, a bill to punish persons who place 207, 278,  
     341, 447  
 Odd Fellows Hall in Newport, an act to amend the charter of the 50, 55,  
     88, 131, 201  
 Odd Fellows' Lodges—see Lodges I. O. O. F.  
 Offices, Public, committee on, appointed 32  
 Officers, certain, act to dispense with commissions to 176, 277, 340, 367,  
     447  
     act to legalize acts of 27, 39, 149, 173, 202  
 Officers, a bill to prevent certain, from speculating in county claims 212,  
     285, 311, 360  
 Officers, inferior, act to prescribe term of office of the 74, 88, 130, 208  
 Officers, crews &c., a bill to amend the act giving to, a lien on  
     steamboats 316, 368, 416  
 Officers of Elections in Whitley county, an act in relation to the 176,  
     181, 219  
 Officers, Public, resolution to fix day to elect 218, 311  
     election of 221, 222  
 Oglesby, Micajah, added to committee on Banks 194  
 O'Hara, Kean, an act for his benefit 135, 166, 220, 251, 312

- Ohio Circuit Court—see Courts, Circuit.  
 Ohio county, a bill to add part of to Daviess county  
     —see Courts, County.  
     —see Election Precincts.  
     —see Sheriffs.  
 Ohio River, Bedford, and Campbellsburg—see Roads, Plank.  
 Oldham and Shelby counties, an act to change the line of 327, 380, 399,  
     421  
 Oldham county, petition of citizens of 148, 194, 211, 219, 275  
     —see Courts, County.  
     —see Court of Claims.  
     —see Districts of Justices, &c.  
     —see Election Precincts.  
     —see Sheriffs.  
 O'Neill, E. P., use of Hall granted to 121  
 Open Fork of Paint and Abbott's Creeks, act to declare navigable 159,  
     163, 252, 327  
 Orphan Asylum, German Protestant, an act to charter the 372, 378, 476,  
     503, 515  
 Orphan School, Kentucky Female, a bill to amend charter of the 200,  
     243, 375, 407, 478, 506  
 Orphan Society, St. Joseph's, of Louisville, an act to charter the 121, 141,  
     159, 172, 202  
 Owen county—see Courts, County.  
     —see Clerks.  
     —see School Districts.  
     —see Sheriffs.  
 Owen County Turnpikes—see Roads, Turnpike.  
 Owenton and Ross' Mill—see Roads, Turnpike.  
 Owingsville and Poplar Plains—see Roads, Turnpike.  
 Owingsville—see Towns.  
 Owsley and Breathitt counties, a bill allowing the to vote on a  
     Road tax 365  
 Owsley Circuit Court—see Courts, Circuit.  
 Owsley county, an act for removing the County Seat 180, 311, 360  
     petitions of citizens of 148, 480  
     a bill for the benefit of citizens of 365  
     petition of Sheriff of 370  
 Owsley county, an act to amend the act in relation to the removal  
     of the County Seat of 446, 475, 492, 513  
     —see Districts of Justices, &c.  
     —see Sheriffs.  
 Paducah—see Towns.  
 Paintsville—see Towns.  
 Paris and Mountsterling Railroad—see Railroads.  
 Paris and Winchester—see Roads, Turnpike.  
 Parker, William S., an act for the benefit of 417, 475, 503, 514  
 Park, John J., leave of absence granted to 345  
 Parochial School of Elkton, a bill to incorporate the 258, 318, 397, 478,  
     506  
 Parsonage, Methodist—see Methodist Parsonage.

- Patten, B. M., use of Hall tendered to for exhibition of Blind pupils 333, 375
- Peddlers, a bill to prevent from giving liquor to slaves 119, 139  
 a bill to increase the tax on licenses to 35  
 a bill for the benefit of 257, 324
- Pendleton county, petition of citizens of 283, 283  
 —see Courts, County.  
 —see Courts, Quarterly.  
 —see Districts of Justices, &c.  
 —see Sheriffs.
- Penitentiary, annual report of the Keeper of the 37, 38, 43  
 —see Legislative Documents.  
 committee on appointed 31  
 report of committee on the 290, 437, 437  
 resolutions in relation to the proposed by committee 299, 438, 504  
 resolution to black the noses of the convicts in the 85, 86, 163
- People's Hydropathic, &c. College—see College.
- People's Turnpike—see Roads, Turnpike.
- Persons killed on railroads, a bill for the benefit of the widows and children of 259
- Persons holding lands lying back of other lands on navigable streams, a bill for the benefit of 83, 97, 165, 168, 204, 253
- Persons who place obstructions on railroads, a bill to punish 207, 278, 341, 447
- Perry Circuit Court—see Courts, Circuit.
- Perry county, petition of citizens of 283  
 a bill to attach a portion of to Owsley 481  
 —see Courts, County.  
 —see Courts, Quarterly.
- Perryville and Danville—see Roads, Turnpike.
- Perryville and Springfield—see Roads, Turnpike.
- Petersburg and Burlington—see Roads, Turnpike.
- Petersburg—see Towns.
- Phoenix Insurance Company—see Insurance Company.
- Physicians, a bill to prohibit from practicing, who have not diplomas 114, 131
- Pike and Tazewell Turnpike—see Roads, Turnpike.
- Pike county, petition of Justices of 39, 353
- Pike county Turnpikes—see Roads, Turnpike.
- Pike, Floyd, and Lawrence counties, a bill to establish the lines between 398, 475, 502, 514
- Pike, Samuel, nominated for Public Printer 221  
 votes for 222  
 joint voter for 222
- Pikeville—see Towns.
- Pitman Lodge—see Lodges.
- Plank Roads, acts, &c., concerning the following, viz:  
 Falmouth and Williamstown 258, 481, 497, 501, 510  
 Louisville and Jeffersontown 85, 108, 200, 205, 220, 341, 347, 355, 358, 359



- Plank Roads, acts, &c., concerning the following, viz:
- Maysville and Blue Run 257, 318, 493, 507
  - Oakland 418, 430, 489, 513
  - Ohio River, Bedford and Campbellsburg 176, 177, 212, 311
  - Richmond and Irvine 60, 141
- Police Court of Hillsboro, a bill to establish 481, 492, 500, 509
- Police Judges, act allowing to the following towns, viz:
- Columbus 346, 378, 461, 503, 514
  - Cornishville 314, 376, 463, 489, 513
  - Greenville 375, 458, 490, 502, 510
  - Hickman 417, 475, 480, 513
  - Millburn 289, 368, 417, 478, 506
  - Mt. Vernon 364, 463, 497, 508
  - Owenton 417, 475, 480, 513
  - Rumsey 188, 277, 340, 367, 447
  - Shepherdsville 84, 108, 119, 132, 162, 172, 203
- Polish House of Israel, an act to incorporate the 114, 121, 139, 159, 252, 327
- Poll Tax, a bill exempting persons over sixty years of age from paying 26, 72, 79
- Poplar Plains—see Towns.
- Portland, an act to annex the town of to the city of Louisville 494, 499, 502, 514
- Postage, resolution to pay, on Documents sent by Legislators 26, 34
- Powell, an act to establish the county of 239, 324, 380, 478, 506
- Prestonsburg—see Towns.
- Presbyterial Academy of Greenville, a bill to charter the 258, 318, 397, 493, 508
- Princeton—see Towns.
- Private Passways in Mercer county, a bill in relation to 57, 74, 78, 130, 208
- Privileges and Elections, Committee on appointed 29
- report of Committee on 430
- Proceedings in Criminal Cases, a bill to amend the act regulating 76
- Propositions and Grievances, Committee on appointed 28
- discharged from business 504
- Pruden, Malon, an act for the benefit of, and others 72, 107, 111, 112, 150, 151, 152, 164, 169, 191, 192, 220, 270
- Public Offices, Committee on appointed 32
- Public Officers, resolution fixing day to elect the 218, 311
- election of 221, 222
- Public Printing, Committee on appointed 32
- Public Schools in Newport, a bill in relation to the 35, 39, 47, 107, 137, 173, 202
- Pulaski county, petition of citizens of 178
- petition of Sheriff of 239
- see Constables.
- see Districts of Justices, &c.
- see Sheriffs.
- Quicksand Creek, a bill to prevent obstructions in 182, 206, 313, 367, 420
- Quartermaster General, an act to regulate the salary of the 60

- Railroad Companies, a bill to require, and others, to enclose roads and lands 407
- Railroads, a bill to punish persons for placing obstructions on, so as to endanger life 207, 278, 341, 447
- a bill for benefit of widows and children of persons killed on 259
- acts, &c., concerning the following :
- Bowlinggreen and Tennessee 365, 481, 494, 501, 510
- Covington and Eminence 25
- Covington and Lexington 73, 82, 83, 118, 131, 201, 316, 339, 377, 381, 412, 424, 480, 512, 513
- Covington and Louisville 346, 375, 377, 406, 426, 457, 493, 507
- Danville, Somerset, and Knoxville 316, 417, 475, 482, 494, 480, 499, 503, 508, 515
- Frankfort and Covington 256
- Georgetown and Louisville Branch 381, 412, 480, 512
- Glasgow, Franklin, and Clarksville 57
- Henderson and Nashville 310, 316, 318, 382
- Kentucky and Virginia 429, 481, 497, 502, 510
- Lexington and Big Sandy 55, 106, 256, 258, 359, 416, 502, 510
- Lexington and Cumberland 41, 153, 166, 397, 478, 505
- Lexington and Danville 226, 278, 326, 340, 367, 446
- Lexington and Three Forks of Kentucky River 60, 428, 492, 502, 510
- Lexington, Owingsville, and Big Sandy 41, 55, 131, 201
- Louisville and Covington 89, 96, 107, 159, 163, 204, 208, 270, 270, 316, 493, 507
- Louisville and Frankfort 213, 214, 226, 240, 312, 361, 378, 489, 503, 514
- Louisville and Nashville 231, 241, 257, 269, 271, 313, 327, 348, 376, 426, 448, 476, 479, 494, 501, 510, 512
- Louisville and Portland 434, 497, 502, 510
- Louisville, Six Mile, and Covington 314, 377
- Maysville and Big Sandy 89, 89, 111, 140, 208
- Nashville and Cincinnati 231, 242, 290, 297, 309, 324, 353, 354, 407, 426, 481, 494, 501, 507, 510
- Newport and Maysville 167, 212, 229, 339, 501, 510
- New Orleans and Ohio 310, 318, 353, 489, 490, 501, 510
- New Orleans, Jackson, and Northern 346, 378
- Paris and Mountsterling 258, 417, 488, 503, 515
- Shelby 126, 135, 157, 277, 284, 286, 348, 370, 371, 400, 447
- Versailles and Woodford County 352, 378, 491, 502, 514
- Ray, Samuel T., an act for the benefit of 257, 260, 399, 420
- Real Estate, a bill to allow to be sold at the door of City Hall, in Covington 242, 285, 311, 360
- Red Fox Scalps, a bill to allow a premium for 365
- Reeling, Fanny, petition of 77
- Registration of Births, Marriages, and Deaths, a bill to provide for the 61, 189, 462, 488, 503, 514
- Religion, committee on appointed 29
- Religion, committee on discharged from business 504

- Resolutions, appointing committee on Congressional Apportionment 28, 46
- instructing committee on Code of Practice 174, 181, 196
- instructing committee on Circuit Courts 60, 75
- instructing committee on Claims 113
- instructing committee on County Courts 37, 136, 253
- instructing committee on the Court of Appeals 158, 161
- instructing committee on Education to sit with committee on Revised Statutes 154
- instructing committee on Internal Improvement 50, 181, 226
- instructing committee on Judiciary 28, 42, 50, 52, 58, 85, 110, 121, 124, 135, 142, 179, 197
- instructing committee on Propositions and Grievances 120, 135, 177
- instructing committee on Revised Statutes 114, 135, 143, 157, 164, 193, 253
- instructing committee on Ways and Means 58, 199, 260
- instructing committee on Public Offices 177
- instructing committee on the Penitentiary 62, 287
- to appoint committee on places of meeting of Court of Appeals 254
- to call counties on Saturdays only 203
- to dispense with private business 231
- to fine members for absence without leave 175, 324
- to hold night sessions 416
- to drop hindmost candidate for Senator 146
- to meet at half past 9 o'clock 143
- to meet at 9 o'clock, and hold evening sessions 314, 315
- to take a recess of three days 143
- to take recess for two days 164
- to shut off gas from capitol 225
- to limit speeches to 15 minutes 254
- Resolutions, joint, extending session beyond sixty days 282, 325, 333, 406
- fixing day for final adjournment 182, 363, 379, 406, 415, 432, 433, 459, 460, 461, 482, 483, 484, 485, 486, 487, 491, 491
- in relation to legislative days of session 271, 272, 273, 274, 275, 279, 280
- in relation to Louisville and Frankfort Railroad 213, 214, 226, 240, 312
- in relation to Compromise Measures 363
- in relation to inspections of pork, tobacco, &c., at New Orleans 374, 417, 448, 506
- to add T. J. Smith and S. Hatfield to Bank committee 159, 163, 176, 252, 327
- to appoint committee to visit Blind Asylum 36, 44, 87, 125
- to appoint committee to visit Deaf and Dumb Asylum 36, 44, 87, 125



- Resolutions, joint, to appoint committee to visit Lunatic Asylum 35, 44, 87, 125  
 to appoint committee to visit Second Kentucky Lunatic Asylum 60, 75, 106  
 to fire national salutes 8th January and 22d February 360, 372, 449, 506  
 to take a recess of the General Assembly 230, 271, 273, 280, 281, 314
- Retailing of Spirituous Liquors, a bill to amend the laws relating to the 61, 78, 165, 171, 180, 188, 252, 327  
 a bill to prohibit on the Sabbath 142, 243
- Revenue, a bill to amend the mode of collecting the 109
- Revenue Laws, act to amend the act of 1845 to amend the 60, 72, 73, 78, 196, 196, 313, 462, 500, 509  
 a bill to amend the 73
- Revised Statutes, committee on the, appointed 33  
 an act to provide for publication of, and other laws 504  
 committee on, discharged from business 504  
 report of commissioners on the 47  
 an act to adopt the 204, 376, 376, 402, 403, 404, 405, 406 408, 409, 410, 413, 414, 415, 422, 423, 424, 446, 448, 461, 489  
 an act to amend the 61  
 rules adopted to govern action on the 253, 401, 402, 407  
 resolution in relation to the 132, 132, 252, 327  
 an act to provide for the printing and publishing the, and for compensating the Commissioners 492, 495, 496, 497, 498
- Reynolds, John W., petition of 178, 220
- Richards, William, a bill for the benefit of 259, 317, 397, 412, 422
- Richmond and Irvine—see Roads, Plank.
- Richmond and Mountsterling State Road—see Roads, State.
- Richmond Cemetery—see Cemetery.
- Richmond—see Towns.
- Rights of Married Women, an act to amend the laws concerning the 256
- Riley, John, a bill for the benefit of 364, 398, 446, 478, 506
- Road Laws—a bill to amend the 259, 318
- Road Laws, acts to amend the in the following counties, viz :  
 Boone 364, 398, 457, 479, 507  
 Bracken 259, 347  
 Campbell 26, 44, 71, 87, 124  
 Daviess 315, 368, 446, 501, 509  
 Estill 40, 59, 188  
 Knox 364, 398, 475, 502, 514  
 Mason 121, 257, 318, 412, 421  
 Pendleton 230, 313, 367, 419
- Roads, Plank—acts, &c., concerning the following, viz :  
 Falmouth and Williamstown 258, 481, 497, 501, 510

Roads, Plank—acts, &c., concerning the following, viz :

Louisville and Jeffersontown	85, 108, 200, 205, 220, 341
	347, 355, 358, 359
Maysville and Blue Run	257, 318, 493, 507
Oakland,	418, 430, 489, 513
Ohio River, Bedford, and Campbellsburg	176, 177, 212, 311
Richmond and Irvine	60, 141
Roads, State—Augusta and Brookville	315, 349, 428, 497, 500, 509
Columbus and Tennessee River	44, 71, 86, 124
in Bracken	349
Flynn's Ferry	40, 59, 108, 131, 201
Georgetown and Covington	83, 118, 131, 201
Hopkinsville and Louisville	161, 167, 207
Hopkinsville and Clarksville	182, 229, 313, 367, 420
in Fleming county	40
in Kenton county	141, 176, 205, 252, 462, 492, 500, 509
in Morgan county	481, 494, 501, 510
in Simpson	481, 494, 500, 508
Richmond and Mountsterling	205, 313, 367, 420

Roads, Turnpike, a bill to amend the laws regulating tolls on 258, 317

Roads, Turnpike—acts concerning the following, viz :

Augusta, Cynthiana, and Georgetown	315, 428, 491
	499, 508
Bank Lick	250, 278, 346, 400, 447
Big Bone Lick and Napoleon	182, 256, 318, 353, 380, 479, 505
Carrolton and Eagle Creek	25, 34, 57, 87, 125
Crab Orchard and Crew's Knob	290, 412, 421
Crab Orchard and Mt. Vernon	316, 359, 381, 479, 507
Covington and Lexington	114, 218, 313, 367, 420
Cynthiana and Millersburg	181
Dutch Ridge	315, 428, 480, 492, 508
Danville and Hustonsville	494
Eagle Creek and New Liberty	25
Frankfort and Midway	398, 429, 479, 512
Falmouth and Williamstown	258, 481, 497, 501, 510
Flemingsburg and Mt. Carmel	256
Frankfort and Lawrenceburg	428, 481, 500, 509
Garrard county	318, 340, 407, 430, 479, 489, 507, 513
Georgetown and Covington	218
Ghent and Eagle Creek	398
Georgetown and Lemon's Mill	122, 140, 208
Hamilton and Union	167, 237, 284, 479, 507
Hamilton	363, 398, 457, 493, 507
Harrodsburg, Cane Run, and Big Spring	339, 377, 482, 489, 513
Independence and Colemansville	114
Knob Lick,	257, 349, 381, 499, 508
Lancaster and Crab Orchard	109, 119, 149, 173, 202

Roads, Turnpike—acts concerning the following, viz :

Lebanon, New Market, and Springfield	83, 118
Louisa and Grayson	364
Louisville and Elizabethtown	123, 141, 235, 242, 375, 446, 479, 507
Louisville and Shelbyville	73, 83, 126, 173, 202
Louisville and Oldham	417, 430, 480, 512
Louisville and Taylorsville	114, 141, 159, 172, 202
Maysville and Blue Run	257, 318, 493, 507
Maysville and Mountsterling	41, 44, 71, 73, 83, 86, 118, 124, 131, 201, 364, 428, 492, 500, 508
Mountsterling and Owingsville	339, 377, 424, 511
Mountsterling, Kiddville, Red River Iron Works and Irvine	73, 180, 249, 311, 360
Mountsterling and Virginia	364, 429
Muldrow's Hill	40, 317, 353, 365, 396, 463, 481, 494, 497, 499, 501, 508, 509
Nicholasville and Jessamine	335, 462, 497, 499, 508
Owen county	163
Owenton and Ross' Mill	159, 163, 252, 327
Owingsville and Poplar Plains	339, 377, 425, 511
Paris and Winchester	259, 276, 382, 399, 420, 457, 501, 508
Perryville and Danville	275
Perryville and Springfield	316, 360, 381, 425, 505
Peoples'	428, 457, 493, 507
Petersburg and Burlington	167, 181
Pike and Tazewell	364
Pike county	407
Pikeville	407, 475, 503, 515
Salvisa and Springfield	36, 243
Springfield, Maxville, and Harrodsburg	204, 278, 353, 447
Taylors' Mill	462, 492, 500, 509
Turkey Foot	193, 348, 381, 500, 508
Union and Beaver	84, 89, 118, 131, 201
Union and Florence	84, 89, 118, 131, 201
Versailles and Nicholasville	317
Wilderness	120
Winchester and Kiddville	73, 199, 226, 251, 312
Whitley county	61
Woodford county	317
Worthville and Davis' Creek	131
Robertson, Hon. George, nominated for Speaker	8
votes for	9
elected	9
thanks returned to	504
nominated for U. S. Senator	91, 387
votes for 91, 92, 100, 101, 387, 388, 389, 391, 393	
joint vote for 92, 93, 101, 102, 388, 389, 390, 392,	393
withdrawn	102, 394



- Robinson's Creek, a bill declaring navigable 429, 492, 499, 508  
 Rockcastle county, petition of citizens of 87, 124, 199  
 Rough Creek Navigation and Manufacturing Company—an act to  
 charter 41, 55, 107, 137, 173, 202  
 Rowan, B. H., petition of 249  
 Rules of the House adopted 25, 28  
 Rules of the House, proposition to amend the 60, 60  
 Rumsey—see Towns.  
 Runaway Slaves, a bill to amend the law relative to 255  
 Russell county—see Courts, County.  
 —see Courts, Quarterly.  
 Russellville—see Towns.  
 Sallee, Joel W., appeared and took his seat 8  
 Salvisa and Springfield—see Roads, Turnpike.  
 Salvisa—see Towns.  
 Samuels, William T., leave of absence granted to 345  
 Sartain, Ann and George, a bill for the benefit of 109  
 Saufley, James, petition of 289  
 School ages of Children, a bill to change the 134, 237  
 School Districts, an act for the benefit of the in this state 35, 149, 240,  
 278, 319, 424, 512  
 acts, &c., concerning the, in the following counties,  
 viz :  
 Adair 89, 165, 173, 202  
 Barren 142, 158, 172, 252, 327  
 Boone 372, 378, 425, 512  
 Caldwell 189  
 Calloway 134, 165, 173, 202, 256  
 Campbell 50, 83, 99  
 Carroll 493, 507  
 Christian 160, 167, 313, 367, 420  
 Clarke 168  
 Crittenden 256, 285, 315, 366, 419  
 Cumberland 212  
 Estill 84  
 Franklin 315, 331, 348  
 Graves 429  
 Hancock 285, 399, 420  
 Hardin 109  
 Kenton 218  
 Larue 256, 285  
 Lewis 311, 360  
 Madison 182, 189, 285, 311, 360  
 McCracken 258  
 Mercer 314, 377, 427, 479, 512  
 Monroe 142, 158, 172  
 Morgan 218, 313, 367, 420  
 Muhlenburg 285  
 Owen 314, 377, 427, 480, 512  
 Washington 51, 132, 176, 230, 286  
 Wayne 259  
 Whitley 61, 83, 149, 173, 202

- School Fund, a bill to increase the 50  
 School, Parochial, of Elkton, a bill to charter the 258, 318, 397  
 Schools, Common, in Estill, a bill for the benefit of the 360, 397, 411, 422  
 Scott county, petition of citizens of 239, 328  
 Scottsville—see Towns.  
 Sealer of Weights and Measures, a bill to amend the act regulating  
   duties and fees of, in Louisville 257, 368, 416, 477, 506  
 Seat of Government, a bill to remove the, from Frankfort to Louis-  
   ville 35, 320, 321  
     resolution in relation to the removal of the 200, 313  
     Committee on Removal of appointed 313  
 Secretary of State, resolution requiring the to furnish the members  
   with returns of the Seventh Census 142  
 Secrest, W. B., petition of 178  
 Sectionized Lands—see Lands.  
 Selby, Ben., nominated for Librarian 222  
   votes for 222  
   joint vote for 223  
   elected 223  
 Seminary, Morgantown, an act to amend the charter of the 258, 285,  
   400, 420  
 Senator in Congress, resolution to fix a day to elect 42, 46, 56, 62, 62,  
   63, 64, 65, 66, 67, 68, 69, 70, 338  
   resolution to postpone election of 116, 127, 129,  
     137, 155, 156, 157, 162, 162, 246  
   resolution to postpone election of until the next  
   session of the Legislature 120, 126, 127, 129, 137,  
     155, 162, 163, 171, 231  
   motion to go into election of, to fill vacancy  
     caused by resignation of Hon. H. Clay 338, 339  
   election of 89, 110, 126, 144, 154, 244, 263, 264, 385  
 Senior, Hiram, an act for the benefit of 349, 381, 399, 421  
 Settle, Franklin, petition of 434  
 Shackelford, J. M., petition of 148  
 Sharpsburg—see Towns.  
 Shelby and Oldham counties, a bill to change part of the line of 230, 327,  
   380, 399, 421  
 Shelby county, petition of citizens of 118, 295  
   —see Court of Claims.  
 Shelby Railroad—see Railroads.  
 Shelbyville—see Towns.  
 Shepherdsville—see Towns.  
 Shields' House Banking Company, an act to charter the 51  
 Shultz, a bill for the benefit of 27, 34  
 Sheriffs, Commissioners, &c., a bill to allow to advertise real estate  
   in newspapers 50, 153  
 Sheriffs, an act for the benefit of all the late 55, 164, 173, 202  
 Sheriffs, acts for the benefit of the in the following counties, viz:  
   Anderson 462, 494, 500, 509  
   Bath 315, 349, 398, 426, 478, 506  
   Bracken 490, 493, 500, 508

Sheriffs, acts for the benefit of the in the following counties, viz :

Breathitt	61, 72, 98, 204, 251, 311
Butler	59, 98, 204, 251, 311
Caldwell	315, 368, 417, 426, 478, 506
Campbell	315
Clarke	84, 178, 205, 252
Cumberland	256, 318, 399, 420
Edmonson	50
Garrard	109, 159, 178, 205, 253
Grant	316, 368, 416, 419, 424, 478, 506
Graves	26, 59, 276, 371, 399, 420
Green	398, 412, 421
Henderson	51
Henry	462, 490, 493, 507
Jessamine	160, 167, 249, 311, 360
Johnson	168, 174
Kenton	121, 257, 348, 407, 411, 422
Knox	462, 490, 493, 507
Laurel	316, 368, 407
Lawrence	41, 59, 99, 207
Letcher	51
Lewis	503, 514
Livingston	257
Mason	417, 475, 503, 515
McCracken	85, 108, 125, 165, 168, 173, 174, 202
Monroe	114
Ohio	49, 52, 98, 130, 208
Oldham	258, 316, 349, 407, 411, 422, 481, 494, 500, 508
Owen	258, 317, 462, 490, 493, 493, 500, 507, 508
Owsley	417, 429, 489, 513
Pendleton	114, 199, 226, 251, 312
Perry	462, 490, 493, 507
Pulaski	317, 368, 398, 412, 421
Taylor	258, 318, 399, 420, 481, 494, 500, 508
Todd	317, 368, 398, 412, 421
Union	250, 278, 347, 447
Wayne	462, 490, 493, 507
Whitley	277, 347, 367, 447

Sicard, Elizabeth, an act for the benefit of 41, 44, 164

Simpson county—see Courts, County.

Simpson Lodge—see Lodges.

Simpsonville—see Towns.

Sinking Fund, Committee on appointed 31

report of Commissioners of the 457

—see Legislative Documents.

Slave property, a bill further to protect 258

Slaves, an act to prevent peddlers from giving liquor to 119, 139

Slaves executed, a bill to amend the law allowing full pay for 315, 361

Small, B., petition of 345

Small, W. B., a bill for the benefit of 142

petition of 345



- Smedley, G., petition of 345
- Smith, E. R., nominated for Assistant Clerk 9
- votes for 10
- Smith, Robert C., a bill for the benefit of the children of 255
- Smith, Thomas J., resolution to add to the Committee on Banks 159,  
163, 176, 252, 327
- Somerset Gazette, an act to declare the a public authorized newspa-  
per 313, 376, 463
- Southern Bank of Kentucky—see Banks.
- Sparta—see Towns.
- Special taxation, a bill requiring a majority of all the qualified voters  
to impose 315
- Spegal, George, a bill for the benefit of 327, 377, 425, 511
- Spencer county, petition of citizens of 139, 234
- Spencer county—see Election Precincts.
- Spencer, Samuel, an act for his benefit 176, 229, 311, 360
- Spirituous Liquors, a bill to amend the law in relation to adultera-  
tion of 109
- Spradling, Henry J., an act for the benefit of 446
- Springer, John, petition of 165, 197
- Springfield, Maxville, and Harrodsburg—see Roads, Turnpike
- Steamboats, a bill to amend the law giving a lien on to officers,  
crews, &c 316, 368, 416
- Stone, Francis P., nominated for U. S. Senator 103, 247
- votes for 103, 264
- joint vote for 104, 264
- withdrawn from nomination 110
- Stone, N. B., excused from serving on Bank Committee 194
- Stone, Thomas O., petition of 413
- Stratton, Harry, a bill for the benefit of 364, 429, 497, 499, 508
- Stylesville—see Towns.
- Superintendent of Public Instruction, annual report of the 283
- see Legislative Documents.
- Communication of the 38
- resolution requesting the to report as soon as possible 62, 82,  
87, 125
- resolution requesting the to furnish copies of bonds of  
School Fund 110
- resolution requesting the to deliver an address 284
- Sweeney, Joel, a bill for the benefit of 50
- Synopsis of the acts, resolution ordering the printing of the 505
- Tandy, J. B., petition of 283
- Tanning and Leather Manufacturing Company, an act to charter  
the Enterprise 270, 278, 291, 367, 446
- Tarrant, A., nominated for Librarian 222
- votes for 223
- joint votes for 223
- Taxation, special, a bill requiring a majority of all the qualified  
voters to impose 315
- Taylor county—see Courts, County.
- Tennessee, petition of citizens of the State of 240

# INDEX.

561

Thanksgiving day, resolution to take recess on	157
Theobald, Thomas S., petition of	289
Thomas, Benjamin F., a bill for the benefit of the heirs of	27, 221
Thomas, W. W., petition of	345
Thompson, Hon. John B., nominated for U. S. Senator,	101, 247
votes for	102, 103, 103, 263
joint vote for	102, 103, 104, 264
elected	264
withdrawn	110
Thompson, William, a bill for the benefit of	109, 140
Thompson, William O., appeared and took his seat	46
leave of absence granted to	106
Tobacco Inspections, in Louisville, act to establish	238, 276, 412, 422
in Paducah, act to establish	176, 276, 397, 501, 508
in New Orleans, resolution in relation to	374, 417, 448
Tobacco Warehouse, act to charter the Louisville Farmers'	205, 277, 340, 511
act to charter the Paducah	428, 462
Todd county, a bill to define the lines of	258, 318, 380, 399, 420
—see Sheriffs.	
—see Roads, State.	
Todd, James M., of Lewis county, an act for the benefit of	417, 475, 503, 514
Tolls on Kentucky, and Green and Barren River Navigation, a bill	
further to provide for the collection of the	41, 44, 78, 140, 206, 208, 209, 210, 211, 399, 420
Tolls on Muldrows' Hill, an act further to provide for the collection	
of	353, 365, 396, 463, 497, 499, 501, 508, 509
Treasurer, report of the	25
—see Legislative Documents.	
Trespass—see Action of Trespass.	
Trigg county, petition of citizens of	47
—see Districts of Justices, &c.	
—see Election Precincts.	
—see Sheriffs.	
Troublesome Creek, a bill to declare navigable	73, 83, 176
Towns, acts, &c., concerning, the following, viz :	
Blandville	107, 111, 140, 208
Bloomington	314, 376, 426, 489, 514
Booneville	182
Bowlinggreen	381, 481, 494, 501, 510
Brandenburg	270, 278, 341, 447
Brooklyn	296, 376, 381, 425, 512
Bryantsville	84
Burlington	142, 167, 187, 269
Calhoun	256, 368, 416, 493, 507
Campbellsville	149, 179, 221, 352, 490
Clayville	136, 190, 269, 311, 360
Columbus	238, 243, 289, 346, 378, 461, 478, 503, 506, 514
Cornishville	314, 376, 463, 489, 513

## Towns--acts, &amp;c., concerning the following, viz :

Crab Orchard	312, 312, 326
Danville	234, 249, 276, 411, 421, 428, 457, 500, 509
Duncansville	27, 39, 58, 88, 137, 173, 201
Dycusburg	172, 221, 426, 478, 505
East Maysville	58
Eminence	124, 175, 205, 253
Fairview	207, 278, 341, 447
Florence	269
Georgetown	207, 278, 341, 447
Ghent	256, 284
Glasgow	118, 119, 348, 478, 506
Greenville	312, 375, 458, 490, 502, 510
Harrisonville	51, 108, 176
Hartford	27, 39, 85, 107, 108, 149, 149, 173, 173, 201, 202, 258
Henderson	335, 429, 490, 492, 508
Hickman	417, 465, 480, 513
Hillsborough	352, 481, 492, 500, 509
Hopkinsville	166, 188, 277, 283, 341, 457, 479, 507
Independence	71, 74, 140, 208
Jamestown	26
Jeffersontown	123
Kiddville	160, 318, 397, 502, 510
Lancaster	168, 259, 339, 397, 399, 421
Lebanon	110, 160, 195, 204, 253
Litchfield	275, 278
Livermore	114, 124, 175, 205, 252
Lovelaceville	161, 167, 179, 207, 251, 312
Marion	142, 174, 198, 310, 360
Mayfield	429
Milburn	289, 368, 417, 478, 506
Millersburg	71, 99, 149, 173, 202
Mount Gilead	296, 376, 425, 511
Mount Olivet	168, 230, 313, 366, 419
Mountsterling	136, 243, 417, 488, 503, 514
Mount Vernon	364, 463, 497, 508
New Castle	84, 243
New Haven	239, 339, 397, 425, 505
New Liberty	339, 377, 461, 503, 515
Owenton	417, 475, 480, 513
Owingsville	243
Paducah	41, 229, 271, 275, 416, 479, 507
Paintsville	76, 82, 117
Petersburg	71, 142, 372
Pikeville	176, 181, 207
Poplar Plains	118, 153, 195
Prestonsburg	434
Princeton	165, 178, 199, 219, 241, 270, 412, 421
Portland	494, 499, 502, 514
Richmond	326, 339, 397, 457, 477, 503, 515
Rumsey	188, 277, 340, 367, 447



## Towns—acts, &amp;c., concerning the following, viz:

Russellville	219, 237, 243, 380, 399, 421
Salvisa	204, 278, 341, 377, 425, 511
Scottsville	109, 167, 207, 252, 312
Sharpsburg	296, 376, 461, 504, 515
Shelbyville	194, 318, 365, 396
Shepherdsville	84, 108, 119, 132, 162, 172, 203, 255, 318, 397, 412, 421
Simpsonsville	417, 430, 479, 512
Sparta	270, 278, 341, 424, 511
Stylesville	352, 352, 378, 425, 511
Uniontown	417, 430, 488, 502, 514
West Port	316
Williamsburg	51, 55, 88, 137, 173, 202, 259, 463, 492, 500, 509
Winchester	265
Woodsonville	430

## Turnpike Roads—acts concerning the following, viz:

Augusta, Cynthiana, and Georgetown	315, 428, 491, 499, 508
Bank Lick	250, 278, 346, 400, 447
Big Bone Lick and Napoleon	182, 256, 318, 353, 380, 479, 505
Carrolton and Eagle Creek	25, 34, 57, 87, 125
Crab Orchard and Crew's Knob	290, 412, 421
Crab Orchard and Mt. Vernon	316, 359, 381, 479, 507
Covington and Lexington	114, 218, 313, 367, 420
Cynthiana and Millersburg	181
Dutch Ridge	315, 428, 480, 492, 508
Danville and Hustonsville	494
Eagle Creek and New Liberty	25
Frankfort and Midway	398, 429, 479, 512
Falmouth and Williamstown	258, 481, 497, 501, 510
Flemingsburg and Mt. Carmel	256
Frankfort and Lawrenceburg	428, 481, 500, 509
Garrard county	318, 340, 407, 430, 479, 489, 507, 513
Georgetown and Covington	218
Ghent and Eagle Creek	398
Georgetown and Lemon's Mill	122, 140, 208
Hamilton and Union	167, 237, 284, 479, 507
Hamilton	363, 398, 457, 493, 507
Harrodsburg, Cane Run, and Big Spring	339, 377, 482, 489, 513
Independence and Colemansville	114
Knob Lick,	257, 349, 381, 499, 508
Lancaster and Crab Orchard	109, 119, 149, 173, 202
Lebanon, New Market, and Springfield	83, 118
Louisa and Grayson	364
Louisville and Elizabethtown	123, 141, 235, 242, 375, 446, 479, 507
Louisville and Shelbyville	73, 83, 126, 173, 202

## Turnpike Roads—acts concerning the following, viz:

- Louisville and Oldham 417, 430, 480, 512
- Louisville and Taylorsville 114, 141, 159, 172, 202
- Maysville and Blue Run 257, 318, 493, 507
- Maysville and Mountsterling 41, 44, 71, 73, 83, 86,  
118, 124, 131, 201, 364, 428, 492, 500, 508
- Mountsterling and Owingsville 339, 377, 424, 511
- Mountsterling, Kiddville, Red River Iron Works  
and Irvine 73, 180, 249, 311, 360
- Mountsterling and Virginia 364, 429
- Muldrow's Hill 40, 317, 353, 365, 396, 463, 481, 494,  
497, 499, 501, 508, 509
- Nicholasville and Jessamine 335, 462, 497, 499, 508
- Owen county 163
- Owenton and Ross' Mill 159, 163, 252, 327
- Owingsville and Poplar Plains 339, 377, 425, 511
- Paris and Winchester 259, 276, 382, 399, 420, 457,  
501, 508
- Perryville and Danville 275
- Perryville and Springfield 316, 360, 381, 425, 505
- Peoples' 428, 457, 493, 507
- Petersburg and Burlington 167, 181
- Pike and Tazewell 364
- Pike county 407
- Pikeville 407, 475, 503, 515
- Salvisa and Springfield 36, 243
- Springfield, Maxville, and Harrodsburg 204, 278, 353,  
447
- Taylor's Mill 462, 492, 500, 509
- Turkey Foot 193, 348, 381, 500, 508
- Union and Beaver 84, 89, 118, 131, 201
- Union and Florence 84, 89, 118, 131, 201
- Versailles and Nicholasville 317
- Wilderness 120
- Winchester and Kiddville 73, 199, 226, 251, 312
- Whitley county 61
- Woodford county 317
- Worthville and Davis' Creek 131
- Turkeyfoot Turnpike—see Roads, Turnpike.
- Tyler, Charles, petition of 119, 179
- Union Agricultural and Mechanical Association—see Association.
- Union and Beaver—see Roads, Turnpike.
- Union and Florence—see Roads, Turnpike.
- Union Bank of Kentucky—see Bank.
- Union county, petition of citizens of 295
- remonstrance of citizens of 295
- see Courts, County.
- see Sheriffs.
- Union Lodge—see Lodges.
- Uniontown—see Towns.
- United States Senator—see Senator in Congress.

- Usury Laws, a bill to amend the 135, 229  
 Vannoy, Samuel, petition of 265, 347  
 Versailles and Nicholasville—see Roads, Turnpike.  
 Versailles and Woodford County Railroad—see Railroads.  
 Versailles Fire, Life, and Marine Insurance Company—see Insurance Company.  
 Wadlington, Thomas, petition of 335, 335  
 Wakefield, James and Matthew, a bill to amend the act for the benefit of the heirs of 258, 276, 411, 422  
 Walker, Adam R., petition of 283  
 Wallis, John, a bill for the benefit of 182, 189, 240, 251, 311  
 Warehouse, Louisville Farmers Tobacco, a bill to charter the 205, 277, 340, 424  
     Paducah Farmers Tobacco, a bill to charter the 428, 462, 500, 508  
 Warren county—see Courts, County.  
 Washington county, a bill to remove the county seat of 82, 294, 416  
     petition of citizens of 71  
     —see Clerks.  
     —see Justices Courts.  
     —see School Districts.  
 Washington—see Towns.  
 Wayne county, petition of citizens of 158, 347  
     —see Courts, County.  
     —see School Districts.  
 Ways and Means, committee on appointed 30  
     discharged from business 504  
 Weapons, Concealed—see Concealed Weapons.  
 Webster, George, a bill for the benefit of 182, 188, 349, 416  
 Webster, William C., added to Committee on Propositions and Grievances 59  
 Wells, J. M., petition of 38, 53  
     an act for the benefit of 121  
 Wells, Mrodcia, an act for the benefit of 258  
 West Liberty—see Towns.  
 West, P. H., petition of 186, 212  
 West Port—see Towns.  
 Wheeler, N. D., a bill for the benefit of 114  
 Whitley county, a bill concerning the road and bridge fund of 463, 492, 500, 509  
     —see School Districts.  
     —see Sheriffs.  
 Whitley county Turnpikes—see Roads, Turnpike.  
 Widows and Children of persons killed on railroads, a bill for the benefit of the 259  
 Wilderness Turnpike—see Roads, Turnpike.  
 Williamsburg—see Towns.  
 Williams, John S., nominated for U. S. Senator 110  
     nomination of withdrawn 115  
 Williamson, P. D. J., petition of 283  
 Wilson, J. Wood, petition of 352



- Wilson, Turner, petition of 352  
 Wilson, Turner, a bill for the benefit of 481, 494  
 Winchester and Kiddville—see Roads, Turnpike.  
 Winchester—see Towns.  
 Winfrey, Francis H. leave of absence granted to 328  
 Winslow, William B., petition of 265  
 Wintersmite, Charles G., nominated for Speaker 5  
     votes for 6, 7, 7  
     withdrawn 8  
 Wisdom, Gholson, a bill for the benefit of 256, 318  
 Withers, William A., a bill for the benefit of 257, 276  
 Wolf Creek, a bill to amend the act declaring navigable 84, 463, 492, 500, 509  
 Woodford Circuit Court—see Courts, Circuit.  
 Woodford county—see Courts, County.  
 Woodford county Turnpikes—see Roads, Turnpike.  
 Wood, Samuel W., an act for the benefit of 417  
 Woodson, Samuel, an act for the benefit of 339, 377, 425, 511  
 Woodsonville—see Towns.  
 Woolen Company of Frankfort, an act to charter the 182, 318, 397, 500, 509  
 Woodyard, Henry, a bill for the benefit of 168, 237, 313, 367, 419  
 Worthington, E. S., petition of 434  
 Worthville and Davis' Creek Turnpike—see Roads, Turnpike.